

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re Flint Water Cases.

Judith E. Levy
United States District Judge

This Order Relates To:

ALL CASES

**AMENDED FINAL JUDGMENT AND ORDER OF
DISMISSAL WITH PREJUDICE IMPLEMENTING PARTIAL
SETTLEMENT PURSUANT TO FED. R. CIV. P. 54(b) AND 58(a)**
[2077]

Before the Court is Plaintiffs' Motion for Entry of Judgment. (ECF No. 2077.) The Court received one response in opposition to the motion from the *Chapman/Lowery* Objectors. (ECF No. 2084.) The objection is denied for the reasons set forth in the Opinion and Order Denying the Motion for Reconsideration. (ECF No. 2118.) For the reasons set forth, the Motion for Entry of Judgment is granted.

1. On November 10, 2021, this Court issued an opinion and order granting final approval of a partial settlement entered into by the settling parties in *In re Flint Water Cases*, Case No. 5:16-cv-10444. (ECF No.

2008.)¹ That opinion and order prompts submission of the necessary documents to the Court for implementing the Settlement Agreement as contemplated by Article VIII of the Settlement Agreement. Accordingly, this Final Judgment was submitted to the Court. For the reasons set forth in the opinion and order granting final approval, together with the order granting preliminary approval and additional orders entered previously addressing clarifications to and modifications of the settlement, the Court hereby orders:

2. There is no just reason for delay in entering this Final Judgment as to only the parties to the Settlement Agreement, which are fewer than all of the parties and claims in the action. The partial settlement should be implemented promptly. Accordingly, pursuant to Federal Rule of Civil Procedure 54(b), the Court hereby enters this Final Judgment, and the Settlement Agreement as clarified or modified by

¹ Unless otherwise specified in this Final Judgment (hereafter “Judgment” or “Final Judgment”), capitalized terms in this Final Judgment have the same meaning as defined in the Amended Settlement Agreement (“ASA” or “Settlement Agreement”) (ECF No. 1394-2) approved by the Court in ECF No. 2008. While some of the more relevant definitions from the Settlement Agreement are repeated in later parts of this Judgment for convenience and ease of reference, all definitions and capitalized terms in the Settlement Agreement are incorporated and apply to this Judgment whether or not they are repeated here.

stipulations and/or orders of this Court, including all Exhibits thereto, are hereby adopted and fully incorporated by reference into this Final Judgment.

3. This document constitutes a final judgment and separate document for purposes of Federal Rule of Civil Procedure 58(a).

4. To fully effectuate the settlement, the Court further orders that this Final Judgment is entered in each of the cases pending before this Court that are listed in the attached Exhibit 1, except to the extent that any such cases include claims of valid opt-outs from the Settlement Class or non-registering Individual Plaintiffs. The Court Clerk shall make appropriate docket entries to effectuate that result.

5. As to the Individual Plaintiffs²:

A. The Court finds that the Settlement Agreement and Settlement Program with respect to Minors and LIIIs, including the processes and procedures in Article XXI—Minors and LIIIs, Article III—Registration for and Participation in Settlement Program, Article IV—Settlement Categories, and Article V—Monetary Awards,

² “Individual Plaintiffs” shall mean for the purposes of this Final Judgment all persons and entities listed on Exhibit 1 to the Settlement Agreement, and all other persons and entities, who are not Settlement Class Members and who are registered Claimants. In addition, Future Minor Claimants who register pursuant to Article VI of the Settlement Agreement, and any individual who accepts a settlement under the entered Case Management Order shall also be included in the definition of “Individual Plaintiffs” for purposes of this Final Judgment.

are fair, reasonable, and adequate, and that such processes and procedures are hereby confirmed, established and effective to implement the Settlement Agreement;

- B. The Court approves the Settlement Agreement and distribution of any proceeds for any claim brought by an Individual Plaintiff that is subject to Michigan's Wrongful Death Act, Mich. Comp. Laws § 600.2922, and such Settlement Agreement processes, procedures, and distributions are confirmed, established and effective;
- C. The Court approves the distribution of the FWC Qualified Settlement Fund as provided in the Settlement Agreement;
- D. As of the Effective Date, Releasors are permanently barred, enjoined, and restrained from commencing, filing, initiating, asserting, and or maintaining any and all Released Claims against the Releasees. The Settlement Agreement shall be the exclusive remedy for any and all Released Claims against any Releasee;
- E. As of the Effective Date, the Amended Master Complaint and all Related Lawsuits filed by Individual Plaintiffs pending in the Federal Court are dismissed with prejudice as to the Releasees without further costs, including claims for interest, penalties, cost, and attorney fees, except for the motions for an award of attorneys' fees and reasonable costs, as set forth in Article XI, which have been made and are to be determined by the Federal Court;
- F. All Releasors with Related Lawsuits filed by Individual Plaintiffs pending in any state or federal court, other than the Federal Court shall promptly file appropriate documents to dismiss with prejudice, and without further costs, including claims for interest, penalties, cost, and attorney fees, all such Related Lawsuits as to the Released Parties. Such dismissals shall be effective upon the Effective Date and shall thereby effectuate in part the Releases;

- G. As of the Effective Date, all Releasors are permanently barred and enjoined from the commencement, assertion, and/or prosecution of any claim for contribution and/or indemnity arising out of or related to the Released Claims in the Federal Court, in any other federal court, state court, arbitration, regulatory agency, or other tribunal or forum against the Released Parties;
- H. The Court confirms the appointment of ARCHER Systems, LLC as the Claims Administrator and QSF Administrator, Deborah Greenspan as the Special Master, Miriam Wolock as the Master Guardian Ad Litem, ARCHER Systems, LLC and MASSIVE as the Lien Resolution Administrator, and Forge Consulting, LLC as the Settlement Planning Administrator;
- I. The Federal Court retains continuing jurisdiction over the management of the claims process, the management and distribution of the FWC Qualified Settlement Fund and Sub-Qualified Settlement Funds and over all entities and individuals appointed in the preceding paragraph H;
- J. In addition to and consistent with Paragraph 23.5 of the Settlement Agreement and paragraph 22 of this Final Judgment, the Court expressly incorporates the terms of the Settlement Agreement, and the Federal Court retains continuing and exclusive jurisdiction over the Individual Plaintiffs, Defendants, and the Settlement Agreement, solely to interpret, implement, administer, and enforce the Settlement Agreement in accordance with its terms and to enter orders in aid of the implementation of the Settlement Agreement;
- K. The FWC Qualified Settlement Fund has previously been established pursuant to Court order. The allocation of the FWC Qualified Settlement Fund into the Sub-Qualified Settlement Funds is approved and, by approving the distribution of the FWC Qualified Settlement Fund, the distribution of the net funds in the FWC Qualified

Settlement Fund into the following Sub-Qualified Settlement Funds is approved as follows:

Minor Child Sub-Qualified Settlement Fund—64.5% of the net funds in the FWC Qualified Settlement Fund;

Minor Adolescent Sub-Qualified Settlement Fund—10% of the net funds in the FWC Sub-Qualified Settlement Fund;

Minor Teen Sub-Qualified Settlement Fund—5% of the net funds in the FWC Qualified Settlement Fund;

Future Minor Sub-Qualified Settlement Fund—\$35,000,000 to be taken on a prorated basis from the total amount allocated to the Minor Child, Minor Adolescent, and Minor Teen Qualified Settlement Funds;

Adults and Property Damage Sub-Qualified Settlement Fund—18% of the net funds in the FWC Qualified Settlement Fund (15% for Adult Claimants and 3% for Property Damage Claimants);

Business Economic Loss Sub-Qualified Settlement Fund—0.5% of the net funds in the FWC Qualified Settlement Fund; and

Programmatic Relief Sub-Qualified Settlement Fund—2% of the net funds in the FWC Qualified Settlement Fund; and

L. The Court finds that the notice given to Individual Plaintiffs fairly and adequately: (i) described the terms and effect of the Settlement Agreement; and (ii) constituted due and sufficient notice of the matters set forth in the notice to all individuals entitled to receive it.

6. As to the Settlement Class:

- A. The Court hereby confirms and finally certifies the Settlement Class and Subclasses for Adults, Property Damage, and Business Economic Loss pursuant to Fed. R. Civ. P. 23, solely for purposes of this settlement;
- B. The Court approves the Settlement Agreement and its terms as being fair, reasonable, and adequate as to the Settlement Class Members within the meaning of Fed. R. Civ. P. 23 and directs its consummation according to its terms;
- C. The Court approves the Settlement Agreement and distribution of any proceeds for any claim brought by a Class Member that is subject to Michigan's Wrongful Death Act, Mich. Comp. Laws § 600.2922, and such Settlement Agreement processes, procedures, and distributions are confirmed, established and effective;
- D. The Court approves the distribution of the FWC Qualified Settlement Fund as provided in the Settlement Agreement;
- E. The Court confirms the appointments of the following Settlement Class Representatives and Subclass Representatives:
 - a. "Settlement Class Representatives" means Elnora Carthan; Rhonda Kelso; Darrell and Barbara Davis; Michael Snyder, as personal representative of the estate of John Snyder; David Munoz; Tiantha Williams; Frances Gilcreast; Neil HelmKay; and 635 South Saginaw LLC;
 - b. "Subclass Representatives" means:
 - i. Rhonda Kelso, Barbara and Darrell Davis, Tiantha Williams, and Michael Snyder, as personal representative of the Estate of John Snyder, as representatives of the Adult Exposure Subclass;

- ii. Elnora Carthan and David Munoz as representatives of the Property Damage Subclass; and
 - iii. 635 South Saginaw LLC, Frances Gilcreast, and Neil Helmkay as representatives of the Business Economic Loss Subclass;
- F. The Court confirms the appointment of the following as Settlement Class Counsel to represent the Settlement Class and Subclasses:
- a. Co-Lead Class Counsel Theodore J. Leopold of Cohen Milstein Sellers & Toll PLLC and Michael L. Pitt of Pitt McGehee Palmer, Bonanni & Rivers, P.C., and the Executive Committee;
- G. The Court finds that the Settlement Class Notice that was given satisfied the requirements set forth in Fed. R. Civ. P. 23(c)(2)(B), satisfies the requirements of due process and constituted the best notice practicable;
- H. The Defendants have fully complied with the notice requirements of the Class Action Fairness Act, 28 U.S.C. § 1715;
- I. As of the Effective Date, the Releasors are permanently barred, enjoined, and restrained from commencing, filing, initiating, asserting, and or maintaining any and all Released Claims against the Releasees. The Settlement Agreement shall be the exclusive remedy for any and all Released Claims against any Releasee. Valid opt-outs are not bound by the Settlement Agreement or this Final Judgment, except for Paragraph 19.7 of the Settlement Agreement;
- J. As of the Effective Date, the Fourth Consolidated Amended Class Complaint and all Related Lawsuits filed by Settlement Class Plaintiffs pending in the Federal Court are dismissed with prejudice as to the Releasees without

further costs, including claims for interest, penalties, cost, and attorney fees, except for the motions for an award of attorneys' fees and reasonable costs, as set forth in Article XI, which have been made and are to be determined by the Federal Court;

- K. Releasors with Related Lawsuits filed by Settlement Class Plaintiffs pending in any state or federal court, other than the Federal Court, shall promptly take appropriate actions to dismiss all such actions as to the Released Parties with prejudice to be effective upon the Effective Date, and without further costs, including claims for interest, penalties, cost, and attorney fees, thereby effectuating in part the Releases;
- L. As of the Effective Date, all Settlement Class Members and Releasors are permanently barred and enjoined from the commencement, assertion, and/or prosecution of any claim for contribution and/or indemnity arising out of or related to the Released Claims in the Federal Court, in any other federal court, state court, arbitration, regulatory agency, or other tribunal or forum against the Released Parties;
- M. With respect to the Class Settlement portion of the Settlement Agreement, the Court confirms the appointment of ARCHER Systems, LLC as the Claims Administrator and QSF Administrator, Deborah Greenspan as the Special Master, ARCHER Systems, LLC and MASSIVE as the Lien Resolution Administrator, and Forge Consulting, LLC as the Settlement Planning Administrator;
- N. In addition to and consistent with Paragraph 23.5 of the Settlement Agreement and paragraph 22 of this Final Judgment, the Court expressly incorporates the terms of the Settlement Agreement, and the Federal Court retains continuing and exclusive jurisdiction over the Settlement Class Members, Defendants, and the Settlement Agreement solely to interpret, implement, administer, and

enforce the Settlement Agreement in accordance with its terms and to enter orders in aid of the implementation of the Settlement Agreement;

O. The FWC Qualified Settlement Fund has previously been established pursuant to Court order. The allocation of the FWC Qualified Settlement Fund into the Sub-Qualified Settlement Funds is approved and, by approving the distribution of the FWC Qualified Settlement Fund, the distribution of the net funds in the FWC Qualified Settlement Fund into the following Sub-Qualified Settlement Funds is approved as follows:

Minor Child Sub-Qualified Settlement Fund—64.5% of the net funds in the FWC Qualified Settlement Fund;

Minor Adolescent Sub-Qualified Settlement Fund—10% of the net funds in the FWC Sub-Qualified Settlement Fund;

Minor Teen Sub-Qualified Settlement Fund—5% of the net funds in the FWC Qualified Settlement Fund;

Future Minor Sub-Qualified Settlement Fund—\$35,000,000 to be taken on a prorated basis from the total amount allocated to the Minor Child, Minor Adolescent, and Minor Teen Qualified Settlement Funds;

Adults and Property Damage Sub-Qualified Settlement Fund—18% of the net funds in the FWC Qualified Settlement Fund (15% for Adult Claimants and 3% for Property Damage Claimants);

Business Economic Loss Sub-Qualified Settlement Fund—0.5% of the net funds in the FWC Qualified Settlement Fund; and

Programmatic Relief Sub-Qualified Settlement Fund–2% of the net funds in the FWC Qualified Settlement Fund; and

P. The Court finds that the Settlement Agreement and Settlement Program with respect to LIIIs, who are Settlement Class Members, including the processes and procedures in Article XXI—applicable to LIIIs, Article III—Registration for and Participation in Settlement Program, Article IV—Settlement Categories, and Article V—Monetary Awards, are fair, reasonable, and adequate, and that such processes and procedures are hereby confirmed, established and effective to implement the Settlement Agreement.

7. Only those identified on the opt-out list attached to this Judgment as part of and as described in Exhibit 2 have opted-out of the Settlement Class. The Related Lawsuits identified to date that are pending in federal courts other than this Federal Court are listed in Exhibit 1, and are subject to this Judgment among any other lawsuits that may later be identified. The Related Lawsuits identified to date that are pending in state courts are listed in Exhibit 1, and are subject to this Judgment among any other lawsuits that may later be identified. The Related Lawsuits identified to date that are pending as notices of intent to file a claim under the Michigan Court of Claims Act, Mich. Comp. Laws § 600.6431, are listed in Exhibit 3, and are subject to this Judgment among any other such notices that may later be identified.

8. The Case Management Order entered on December 22, 2021 in this Court (ECF No. 2073), and entered in both the Michigan Court of Claims and the Genesee County Circuit Court, in this case, and in each case listed on Exhibit 1 in this Federal Court. The Case Management Order shall be separately and immediately entered on this Court's docket in each such respective case and any future filed case described in such Case Management Order by this Court's Clerk as an independent entry. The Case Management Order was effective on December 22, 2021 when it was entered on 16-10444, where all counsel has been ordered to file an appearance for the purpose of being provided notices in this litigation.

9. Plaintiffs' Counsel and Defendants' Counsel shall promptly and jointly seek and obtain the dismissal of any Related Lawsuit pending in an appellate court, subject to any proceedings or actions necessary to implement Article XXI–Minors and LIIs. The Related Lawsuits identified to date that are pending in an appellate court are listed in Exhibit 1, and are subject to this Judgment among any other lawsuits that may later be identified.

10. Notwithstanding any other provision in this Final Judgment, all cases identified on the attached Exhibit 1 in the Federal Court are as

of the Effective Date dismissed with prejudice against the Defendants unless a Plaintiff files by March 25, 2022, in the Federal Court a non-frivolous motion showing cause as to why their particular case should not be so dismissed. Article XVI of the Settlement Agreement, entitled Releases and Covenants Not to Sue, shall apply to all such dismissed cases on the attached Exhibit 1.

11. In addition to the effect of this Final Judgment, upon the occurrence of the Effective Date and in consideration of payment of the Settlement Amount specified in Article II—Payments by Defendants and the other consideration in the Settlement Agreement, the Releasees individually and jointly shall be completely released, acquitted, and forever discharged from:

any and all claims, notices, demands, actions, suits, and causes of action, whether class, individual, or otherwise in nature, legal or equitable, known or unknown, suspected or unsuspected, asserted or unasserted, in law, equity, or administratively;

damages whenever incurred and liabilities of any nature whatsoever, including costs, expenses, penalties, expenses of medical or psychological monitoring, and attorneys' fees, that Releasors, or any one of them, whether directly, representatively, derivatively, or in any other capacity, ever had, now have, or hereafter can, shall, or may have against the Releasees or any of them, relating in any way to;

exposure to, use of, or receipt of water from the Flint Water Treatment Plant, or legal liability for the payment of such water, for the period April 25, 2014 to the Effective Date; and/or

any alleged acts or omissions by Releasees or any of them and/or any joint and/or several liability of any of them arising from the alleged acts or omissions of any of the Releasees pled in the Fourth Consolidated Amended Class Complaint, the Amended Master Complaint, and any complaints in the Related Lawsuits from the beginning of time until the Effective Date or that could have been brought under any federal, state, local, administrative, or regulatory law or cause of action concerning exposure to, use of, or receipt of water from the Flint Water Treatment Plant, or legal liability for the payment of such water, during the period April 25, 2014 to the Effective Date, or any conduct in any related litigation or arising out of the litigation itself in Federal Court, the Court of Claims, or Genesee County Circuit Court.

12. In addition to the effect of this Final Judgment, upon the occurrence of the Effective Date and in consideration of payment of the Settlement Amount specified in Article II–Payments by Defendants and the other consideration in the Settlement Agreement, Plaintiffs, Individual Plaintiffs, the Class and Subclass Representatives, each Settlement Class Member, and the Settlement Class, on behalf of the Releasors, and each of them, effective from and after the Execution Date, shall not, at any time, continue to prosecute, commence, file, initiate, institute, cause to be instituted, assist in instituting, or permit to be

instituted on their, his, her, or its behalf, or on behalf of any other individual or entity, any proceeding: (a) alleging or asserting any of his, her, or its respective Released Claims against the Released Parties in any federal court, state court, arbitration, regulatory agency, or other tribunal or forum or (b) challenging the validity of the Releases. To the extent any such proceeding exists in any court, tribunal, or other forum as of the Execution Date, the Releasors shall withdraw, and seek a dismissal with prejudice of, such proceeding forthwith.

13. In connection with the above releases and prohibitions from pursuing any proceedings, Plaintiffs and Releasors have acknowledged that they are aware that they may hereafter discover claims now unknown or unsuspected, or facts in addition to or different from those which they knew, now know or believe to be true, with respect to actions or matters released. Plaintiffs and Releasors explicitly took unknown or unsuspected claims into account in entering into the Settlement Agreement and the Parties have fully, finally, and forever settled and released all Released Claims with respect to all such matters.

14. Plaintiffs and Releasors have also waived California Civil Code Section 1542 and similar provisions in other states. Plaintiffs and

Releasors certified that they were aware of and have read and reviewed the following provisions of California Civil Code Section 1542 (“Section 1542”):

A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor.

15. The releases described above and that are in the Settlement Agreement shall apply according to their terms, regardless of provisions of Section 1542 or any equivalent, similar, or comparable present or future law or principle of law of any jurisdiction. Plaintiffs and Releasors have expressly waived and relinquished any and all rights and benefits existing under (i) Section 1542 or any equivalent, similar, or comparable present or future law or principle of law of any jurisdiction and (ii) any law or principle of law of any jurisdiction that would limit or restrict the effect or scope of the provisions of the release set forth above and in the Settlement Agreement.

16. In addition, Defendants have: fully, completely, and forever released each other from; and shall not, at any time, continue to prosecute, commence, file, initiate, institute, cause to be instituted, assist in instituting, or permit to be instituted on their, his, her, or its behalf,

or on behalf of any other individual or entity, against any other Defendant; any proceeding related to or arising out of:

any and all claims, notices, demands, actions, suits, and causes of action, damages whenever incurred, liabilities of any nature whatsoever, including costs, expenses, penalties, and attorneys' fees, legal or equitable, known or unknown, suspected or unsuspected, asserted or unasserted, in law or equity, that Defendants, or any one of them, whether directly, representatively, derivatively, or in any other capacity, ever had, now have, or hereafter can, shall, or may have against another Defendant, and which also relate or arise out of in any way to any of the following:

- i. the switch to the Flint River as the source of the water supply to the Flint Water Treatment Plant in 2014 and 2015, and the switch back to the Detroit water system in 2015 and thereafter;
- ii. any alleged acts or omissions by Defendants, or any joint and several liability, contribution, indemnity, or other liability arising from the alleged acts or omissions of any of the Defendants, pled in the Fourth Consolidated Amended Class Complaint, the Amended Master Complaint, and any complaints in the Related Lawsuits, from the beginning of time until the Effective Date, that have or could have been brought under any federal, state, local, administrative, or regulatory law or cause of action relating or arising out of in any way to the switch to the Flint River as the source of the water supply to the Flint Water Treatment Plant in 2014

and 2015, and the switch back to the Detroit water system in 2015 and thereafter; or

- iii. any conduct in any litigation mentioned in the preceding paragraph, or any related litigation thereto, or arising out of any such litigations themselves, in Federal Court, the Court of Claims, Genesee County Circuit Court, or their respective appellate courts.

17. Nothing in this Judgment or in the Settlement Agreement should be construed as releasing or preventing any regulatory, administrative or enforcement actions, notices, orders or suits, or any criminal claims, notices, demands, actions, or suits, brought at any time by the State Defendants or their departments. Nor should this Judgment or the Settlement Agreement be construed as releasing or preventing any claim, demand or suit against Veolia Water North America Operating Services, LLC, Veolia North America, LLC, Veolia North America, Inc., Veolia Environnement, S.A., Lockwood Andrews & Newnam, P.C., Lockwood, Andrews & Newnam, Inc., Leo A. Daly Company, United States of America, and United States Environmental Protection Agency, or any of their affiliates.

18. All Future Minor Claimants are subject to Article VI of the Settlement Agreement.

19. As stated earlier, unless otherwise specified in this Judgment, all capitalized terms in this Judgment have the same meaning and apply in this Judgment as they are defined in the Settlement Agreement, and are incorporated here. For convenience and ease of reference in this Judgment, some of those definitions, or the relevant portions thereof, are repeated here:

“Adult Exposure Subclass” means all persons who were Adults during the Exposure Period and who ingested or came into contact with water received from the Flint Water Treatment Plant at any time during the Exposure Period and who are claiming or could claim a resulting personal injury. All Adults listed on Exhibit 1 to the Settlement Agreement are excluded from this Subclass.

“Business Economic Loss Subclass” means all individuals or entities who owned or operated a business, including income earning real property and any other businesses, that received water from the Flint Water Treatment Plant at any time during the Exposure Period and who are claiming or could claim a resulting business economic loss. Excluded from the Business Economic Loss Subclass are all local, state, or federal government offices or entities and any individual or entity listed on Exhibit 1 to the Settlement Agreement.

“Property Damage Subclass” means all Adults or entities who owned or were the lessee of residential real property that received water from the Flint Water Treatment Plant, or were legally liable for the payment for such water, at any time during the Exposure Period. Excluded from the Property Damage Subclass are all local, state, or federal government entities which own real property and any individual or entity listed on Exhibit 1 to the Settlement Agreement.

“Defendants” means the entities and persons participating in this settlement that are or were defendants in any federal or state court, both trial and appellate, in which claims have been made or notices of intention to file a claim under the Michigan Court of Claims Act, Mich. Comp. Laws § 600.6431, asserting personal injury, property damage or economic loss as a result of exposure to water received from the Flint Water Treatment Plant, or any bills paid for such water, at any time during the Exposure Period, including: State of Michigan; Michigan Department of Environmental Quality (now the Michigan Department of Environment, Great Lakes, and Energy); Michigan Department of Health and Human Services; Michigan Department of Treasury; former Governor Richard D. Snyder; Governor Gretchen Whitmer; the City of Flint; the Flint Receivership Transition Advisory Board; Darnell Earley; Howard Croft; Michael Glasgow; Gerald Ambrose; Edward Kurtz; Michael Brown; Dayne Walling; Daugherty Johnson; Liane Shekter Smith; Daniel Wyant; Stephen Busch; Kevin Clinton; Patrick Cook; Linda Dykema; Michael Prysby; Bradley Wurfel; Eden Wells; Nick Lyon; Dennis Muchmore; Nancy Peeler; Robert Scott; Adam Rosenthal; Andy Dillon; McLaren Regional Medical Center, McLaren Flint Hospital, McLaren Health Care Corporation, and Rowe Professional Services Company.

“Exposure Period” means April 25, 2014 to the Execution Date.

“Plaintiffs” means plaintiffs in any federal or state lawsuit or whom have filed notices of intent to sue or notices of intention to file a claim under the Michigan Court of Claims Act, Mich. Comp. Laws § 600.6431, asserting Defendants are liable for personal injury, property damage or economic loss incurred as a result of exposure to water received or purchased from the Flint Water Treatment Plant, or any bills for such water, at any time during the Exposure Period, including all Individual Plaintiffs, Class and Subclass Representatives, and Settlement Class Members. Plaintiffs shall not include the plaintiff in *Attorney General Dana*

Nessel, et. al. v. Veolia North America, Inc., et. al., Docket No. 16-107576-NM (Genesee County Circuit Court).

“Related Lawsuits” means any notice or notices of intention to file a claim under the Michigan Court of Claims Act, Mich. Comp. Laws § 600.6431, or action in state or federal court, both trial and appellate, in which Individual Plaintiffs or Putative Class Members are alleging Defendants are liable for personal injury, property damage or economic loss as a result of the receipt of or exposure to water from the Flint Water Treatment Plant, or any bills paid for such water, at any time during the Exposure Period, including but not limited to those actions listed on Exhibit 6 to the Settlement Agreement.

“Released Claims” means those claims released pursuant to Paragraphs 16.1–16.5 of th[e] Settlement Agreement.

“Releasees” and “Released Parties” shall refer jointly and severally, individually and collectively to Defendants and their past and present, direct and indirect, parents, subsidiaries, affiliates, offices, departments, agencies, commissions, boards, officials, directors, employees, agents (including, but not limited to, brokers and landmen), attorneys, insurers, financial and business advisors, trusts, trustees, partners or general or limited partnerships, servants, and representatives (and any of the foregoing listed individuals’ or entities’ past and present officers, directors, employees, agents (including, but not limited to brokers and landmen), attorneys, financial and business advisors, trusts, trustees, partners or general or limited partnerships, servants, and representatives), and the predecessors, successors, heirs, spouses, family members, estate executors, administrators, insurers, and assigns of each of the foregoing. Veolia Water North America Operating Services, LLC, Veolia North America, LLC, Veolia North America, Inc., Veolia Environnement, S.A., Lockwood Andrews & Newnam, P.C., Lockwood, Andrews & Newnam, Inc., Leo A. Daly Company, United States of America, and United States Environmental

Protection Agency, and their affiliates, are excluded from the definition of “Releasees” and “Released Parties”.

“Releasors” shall refer jointly and severally, individually and collectively to Plaintiffs, Individual Plaintiffs, and Claimants that participate in the Settlement Program and all Settlement Class Members, and their respective past and present, direct and indirect, parents, guardians, conservators, fiduciaries, next friends, next of kin, subsidiaries, affiliates, officers, directors, employees, agents, attorneys, servants, and representatives (and any of the foregoing listed individuals’ or entities’ past and present officers, directors, employees, agents, attorneys, servants, and representatives), any person who may be a claimant under Michigan’s Wrongful Death Act, and the predecessors, successors, heirs, executors, administrators, and assigns of each of the foregoing. Any person or entity that has timely and validly elected to opt-out of the Settlement Class shall not be directly or indirectly a “Releasor”.

“Settlement Class” means all persons or entities who are or could be claiming personal injury, property damage, business economic loss, unjust enrichment, breach of contract, or seeking any other type of damage or relief because at any time during the Exposure Period they: (1) were an Adult who owned or lived in a residence that received water from the Flint Water Treatment Plant or were legally liable for the payment of such water; (2) owned or operated a business including income earning real property and any other businesses, that received water from the Flint Water Treatment Plant or were legally liable for the payment for such water; or (3) were an Adult during the Exposure Period and who ingested or came into contact with water received from the Flint Water Treatment Plant. Excluded from the Settlement Class are: (1) Defendants; (2) the judicial officers to whom this case is assigned in the Federal Court, Genesee County Circuit Court, and Court of Claims, their staff, and the members of their immediate families; (3) all Individual Plaintiffs; and (4) all persons who timely and validly elect to opt-out of the Settlement Class.

“Settlement Class Member” means each member of the Settlement Class certified by the Federal Court who has not timely and validly elected to opt-out of the Settlement Class.

“Subclasses” means the Adult Exposure Subclass, the Property Damage Subclass, and the Business Economic Loss Subclass.

20. This Judgment and the Settlement Agreement shall be binding upon and inure to the benefit of, the successors and assigns of the Settlement Class, Individual Plaintiffs, and Defendants. Without limiting the generality of the foregoing, this Judgment and each and every covenant and agreement made in the Settlement Agreement by Plaintiffs, Co-Liaison Counsel or Co-Lead Class Counsel shall be binding upon all Settlement Class Members, Individual Plaintiffs, and Releasors. The Releasees (other than entities and persons which are parties to the Settlement Agreement) are third-party beneficiaries of the Settlement Agreement and are authorized to enforce its terms applicable to them.

21. Without affecting the finality of this Judgment in any way, this Court retains continuing jurisdiction over: (a) the implementation of this settlement and any distribution to Claimants pursuant to further orders of the Court; (b) disposition of the FWC Qualified Settlement Fund; (c) determining attorneys’ fees, costs, expenses, and interest; (d)

the action until the Final Judgment contemplated herein has become effective and each and every act agreed to be performed by the parties all have been performed pursuant to the Settlement Agreement; (e) hearing and ruling on any matters relating to the distribution of the FWC Qualified Settlement Fund and Monetary Awards; and (f) all parties to the action and Releasors and Releasees, for the purpose of enforcing and administering the Settlement Agreement and the mutual releases and other documents contemplated by, or executed in connection with Settlement Agreement.

IT IS SO ORDERED.

Dated: March 3, 2022
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or first-class U.S. mail addresses disclosed on the Notice of Electronic Filing on March 3, 2022.

s/William Barkholz
WILLIAM BARKHOLZ
Case Manager

EXHIBIT 1

EXHIBIT 1**SUPPLEMENT OF LAWSUITS IN ADDITION TO THOSE LISTED IN THE ATTACHED EXHIBIT 6 TO SETTLEMENT AGREEMENT (DOC #1394-7) AND THOSE LISTED ON THE ATTACHED EXHIBIT 3 TO THE SETTLEMENT AGREEMENT (DOC #1319-2)****U.S. Court of Appeals for the Sixth Circuit**

Case Name	Case No.
Margaret A. Bacon, et al. v. Lockwood Andrews & Newman, PC, et al.	20-2136

Michigan Court of Appeals

Case Name	Case No.
Brenda Brown, et al. v. Governor Rick Snyder, et al.	344859
Brenda Brown, et al. v. Governor Rick Snyder, et al.	344862
Melissa Atkins, et al. v. Governor Rick Snyder, et al.	344857

Michigan Court of Claims

Case Name	Case No.
Margaret A. Bacon v. State of Michigan, et al.	16-000312-MM

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In Re Flint Water Cases

No. 5:16-cv-10444-JEL-MKM

HON. JUDITH E. LEVY

MAG. MONA K. MAJZOUB

EXHIBIT 6

REVISED EXHIBIT 6**ALL CASES**

The following is a list of all cases currently pending in the U.S. Court of Appeals for the Sixth Circuit, the U.S. District Court for the Eastern District of Michigan, Genesee County Circuit Court, and the Michigan Court of Claims. This list includes both class action lawsuits and individual plaintiff lawsuits.

U.S. Court of Appeals for the Sixth Circuit

Case Name	Case No.
Cholyonda Brown v. Governor Rick Snyder, et al.	20-1323
Lashema Marble, et al. v. Richard Snyder, et al.	20-1353
Cholyonda Brown v. Governor Rick Snyder, et al.	20-1322
Cholyonda Brown v. Governor Rick Snyder, et al.	20-1324
Lashema Marble, et al. v. Richard Snyder, et al.	20-1353
Lashema Marble, et al. v. Richard Snyder, et al.	20-1355
Lashema Marble, et al. v. Richard Snyder, et al.	20-1412

U.S. District Court for the Eastern District of Michigan

Case Name	Case No.
Adams-Kiel v. Snyder	18-11416
Alexander, Troy v. Flint	16-13421
Alexander, Virgil v. Snyder	18-10631
Anderson, Crystal v. Lockwood	17-13289
Anderson, Edwin v. Snyder, DEQ, DHHS	17-13890
Anderson, Queenie v Snyder	20-10171
Anderson, Tenniel v. Flint	17-10746
Atkins v. Snyder	17-13724
Atou v. Flint	17-10703
Bacon v. Lockwood	18-10348
Barlow v. Snyder	18-11281
Barnes v. Flint	17-10689
Barton v. Lockwood	17-11392
Berry v. Flint	17-10717
Blevins v. Snyder	20-10172
Boyd v. Flint	17-10724
Brand v. Flint	17-10713
Brown, Cholyonda v. Snyder	18-10726
Bryant v. Snyder	18-11173
Carter v. Snyder	20-10370
Chandler v. Snyder	18-11743
Chapman v. Snyder	18-10679
Cintron v. Snyder	20-10354
Cooper v. Snyder	18-10486
Corey v. Snyder	18-11102

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Coulter v. Flint	17-10718
Coward v. Snyder	20-10307
Cox v. Snyder	18-11770
Cruz v. Snyder	17-12116
Davis v. Flint	17-10744
Douglas v. Snyder	18-11287
Evans v. Flint	17-10677
Franklin v. Snyder	18-11967
Gaddy v. Flint	17-11166
Gilcreast v. Lockwood;	16-11173
Guertin v. Snyder	16-12412
Gulla v. Snyder	17-10709
Harris v. Snyder	20-10369
Huntley v. Flint	17-16092
Jackson v. Flint	17-10681
Jenkins v. Flint	17-10715
Keyes v. Flint	17-10699
Long v. Snyder	17-12153
Lorick v. Flint	17-10720
Lowery v. Lockwood	17-10343
Lynn v. Flint	17-10696
Marble v. Snyder	17-12942
Marchbanks v. Snyder	20-10322
Masters v. Snyder	17-12289
Mays v. Flint	16-11519
McFadden v. Snyder	18-11289
McGrath v. Flint	17-10725
McMillian v. Snyder	16-10796
Meeks v. Flint	17-11165
Milhouse v. Snyder	20-10449
Mosley v. Flint	17-10686
Nappier v. Snyder	16-00636
Nard v. Snyder	20-10356
Nichols v. Snyder	17-11481
Parsons v. Flint	17-10697
Patton v. Flint	17-10721
Rainey v. Flint	17-10682
Reid v. Flint	17-10707
Robinson v. Snyder	18-10633
Rogers v. Snyder	18-10713
Scroggins v. Flint	17-10710
Sears v. Snyder	18-11298
Sirls v. State of Michigan	17-10342
Summers v. Flint	17-10745
Thomas v. Flint	17-10688
Tyiska v. Snyder	18-11841
Upchurch v. Flint	17-10400
Village Shores v. Lockwood	16-14498
Carthan v. Snyder (In re Flint/Waid)	16-10444

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Walters v. City of Flint	17-10164
Warren v. Flint	17-10679
Washington v. Snyder	16-11247
Williams v. Snyder	20-10443
Williamson v. Snyder	20-10330
Wilson v. Flint	17-10743
Wright v. Snyder	20-10453
Young v. Flint	17-10687
Lee v. City of Flint, et al.	17-11726
Gist v. Busch, et al	17-12046
Savage v. Busch, et al.	17-12050
Kirkland v. Busch, et al.	17-12053
Mahan, et al. v. Snyder, et al.	19-12665
Davidson, et al. v. Snyder, et al.	19-12675
Cole, et al. v. Snyder, et al.	19-12709
Langston, et al. v. Snyder, et al.	19-12878
Shields, et al. v. Snyder, et al.	19-12882
Williams H., et al. v. Snyder, et al.	20-10443
Davenport v. Lockwood, Andrews & Newnam, P.C.	16-12875
Washington, et al. v. Snyder, et al.	17-10799
Mays, et al. v. Snyder, et al.	17-10996
Travis, et al. v. Lockwood, Andrews & Newnam, P.C.	17-10941
Boler, et al. v. Earley, et al.	16-10323
Lee v. City of Flint, et al.	17-11726
Gist v. Busch, et al.	17-12046
Savage v. Busch, et al.	17-12050
Kirkland v. Busch, et al.	17-12053
Bellis v. Snyder, et al.	18-11289
Mahan et al. v. Snyder, et al.	19-12665
Davidson, et al. v. Snyder, et al.	19-12675
Cole, et al. v. Snyder, et al.	19-12709
Langston, et al. v. Snyder, et al.	19-12878
Shields, et al. v. Snyder, et al.	19-12882

Genesee County Circuit Court

Case Name	Case No.
Jennifer Mason, et al. v. Lockwood, Andrews & Newnam, P.C., et al.	16-106150
Waid v. City of Flint	16-106264
Brown, Willie v. City of Flint	19-113245
In re Flint Water Litigation (GCCC)	17-108646
Doris Collins, Robin Pleasant, Jason Phinisee, on behalf of themselves and a class of all others similarly situated v. Governor Rick Snyder, et al.	16-106077
Gulla v. Snyder	16-108272
In re Flint Water Litigation	17-108646
Mays v. Flint	16-106112
Morris, et al. v. City of Flint, et al.	16-107153
Teat, et al. v. City of Flint, et al.	16-107154

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Marshall, et al. v. City of Flint	16-107197
Striler v. City of Flint	16-107331
Bush v. City of Flint	16-107446
Troy Kidd, as Personal Representative of the Estate of Debra Kidd, Deceased, Connie Taylor, Brian Kelsey, and Larry Balknight, v. McLaren Regional Medical Center, et al.	16-106199
Michael Mulcahy, as Personal Representative of the Estate of Thomas Mulcahy, Deceased, Mary E. Percy, as Personal Representative of the Estate of Arthur L. Percy, Deceased, and Lorraine Kelly, as Personal Representative of the Estate of Nelda Hunt, Deceased, v. McLaren Regional Medical Center, et al.	16-106517
Dennis Baese, v. McLaren Regional Medical Center.	16-107681
Tresa Renaud, as Personal Representative of the Estate of Patricia Schaffer, Deceased, v. McLaren Regional Medical Center.	16-108271
Sherry Smarch, as Personal Representative of the Estate of Sharon A. Hinze, Deceased, v. McLaren Regional Medical Center.	17-108688
Nyla Dalrymple, Forrest Mahan, Jr. and Mark Runyun, v. McLaren Regional Medical Center.	17-108772
Audrey Derscha, as Personal Representative of the Estate of Peter Derscha, Jr., Deceased, Daniel McHugh, as Personal Representative of the Estate of Brian T. McHugh, Deceased, v. McLaren Regional Medical Center.	17-108773
Russell Hobson, v. McLaren Regional Medical Center.	17-109557
Teresa Darling v. McLaren Regional Medical Center.	17-109340
Gregory Clemons, v. McLaren Regional Medical Center.	17-109493
Betty Perdue, v. McLaren Regional Medical Center.	17-109339
Gradine Rogers, v. McLaren Regional Medical Center.	17-109338
Rebecca Tower, as Personal Representative of the Estate of Charles Tower, v. McLaren Regional Medical Center.	17-109337
Belvain Fuller, v. McLaren Regional Medical Center.	17-108886
Catherine Young, as Personal Representative of the Estate of Clayton E. Hollister v McLaren Regional Medical Center.	17-109854
Diane Hawley as Personal Representative of the Estate of Daniel Hawley, v. McLaren Regional Medical Center.	17-110226
Patrick Seeley, v. McLaren Regional Medical Center.	18-110423
Helen Bohl, v McLaren and McLaren Health Care Corporation.	19-112331
Michael Snyder as Personal Representative of the Estate of John Snyder, Deceased, v. McLaren Regional Medical Center.	18-111193
Robert J. Skidmore, as Personal Representative of the Estate of Robert C. Skidmore, Robert J. Skidmore, in his own right, and Roger Skidmore, v. Dayne Walling, et al.	18-111666
Amy Holland, as Personal Representative of the Estate of Shelley Dennis, Deceased, v. McLaren Flint and McLaren Regional Medical Center.	20-114059
Coalition for Clean Water v. City of Flint, et al.	15-104900
Erma Lee Vale v. City of Flint	16-106184
G.W.1 NXF-Walters, Leeanne v. Lockwood Andrews & Newnam PC et al	16-106326
C.R.1., NXF-Robinson, Shayla v. Lockwood Andrews & Newnam PC et al	16-106327
C.B, NXF-Brown, Shawntele et al v. Lockwood Andrews & Newnam PC et al	16-106330
J.L, NXF-Putney, Jackie et al v. Lockwood Andrews & Newnam PC et al	16-106331
C.G., NXF-Wright, Lovie et al v. Lockwood Andrews & Newnam PC et al	16-106336
M.B, NXF-Bell, Sasha v. Lockwood Andrews & Newnam PC et al	16-106337
M.S., NXF-Coleman-Sanders, Janay et al v. Lockwood Andrews & Newnam PC et al	16-106338
C.D.1, NXF-Davis, Derek ET AL v. Lockwood Andrews & Newnam PC et al	16-106339
R.Z.I., NXF-Schmidt, Angel et al v. Lockwood Andrews & Newnam PC et al	16-106380
J.M.K., NXF-Kelly, Melissa v. Lockwood Andrews & Newnam PC et al	16-106381

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J.L., NXF-Lovett, Talisha et al v. Lockwood Andrews & Newnam PC et al	16-106384
S.B., NXF-Gordon, Tracey et al v. Lockwood Andrews & Newnam PC et al	16-106383
T.M., NXF-Mitchell, Barbara et al v. Lockwood Andrews & Newnam PC et al	16-106429
K.W.NXF-Price, Ashley v. Lockwood Andrews & Newnam PC et al	16-106444
E.S.1., NXF-Soto, Debra et al v. Lockwood Andrews & Newnam PC et al	16-106439
C.R., NXF-Early, Suzan et al v. Lockwood Andrews & Newnam PC et al	16-106438
H.B., NXF-Brown, Robert et al v. Lockwood Andrews & Newnam PC et al	16-106437
S. Y. et al NXF-Loomis, Monica et al v. Lockwood Andrews & Newnam PC et al	16-106436
M.S., NXF-Coulter, Lonise et al v. Lockwood Andrews & Newnam PC et al	16-106435
S.C.1., NXF-Kuykendall, Alicia et al v. Lockwood Andrews & Newnam PC et al	16-106434
J.W.1., NXF-Engelmann, Amanda et al v. Lockwood Andrews & Newnam PC et al	16-106433
E.H.1. NXF-Hellems, Okneea et al v. Lockwood Andrews & Newnam PC et al	16-106432
K.B., NXF-Brown, Sheimyee v. Lockwood Andrews & Newnam PC et al	16-106431
R.C., NXF-Burmeister, Leah v. Lockwood Andrews & Newnam PC et al	16-106430
E.F.1. NXF-Handley, Crystal et al v. Lockwood Andrews & Newnam PC et al	16-106496
P.P., NXF-Fisher, Joyceland et al v. Lockwood Andrews & Newnam PC et al	16-106495
C.M., NXF-Johnson, Merrill v. Lockwood Andrews & Newnam PC et al	16-106494
T.W., NXF-Weaver, Jacqueline v. Lockwood Andrews & Newnam PC et al	16-106493
M.G.1., NXF-Guerrero, Rosalinda et al v. Lockwood Andrews & Newnam PC et al	16-106492
L.R., NXF-Reed, Angielic v. Lockwood Andrews & Newnam PC et al	16-106491
C.B. NXF-Green, Carrie v. Lockwood Andrews & Newnam PC et al	16-106490
J.C. NXF-Jones, Chalonda et al v. Lockwood Andrews & Newnam PC et al	16-106489
J.D., NXF-Matthess, Teri et al v. Lockwood Andrews & Newnam PC et al	16-106488
J.N. NXF-Anthony, Tearia v. Lockwood Andrews & Newnam PC et al	16-106487
T.M. NXF-Handley, Tatyonna v. Lockwood Andrews & Newnam PC et al	16-106486
N.T., NXF-Denison, Samantha v. Lockwood Andrews & Newnam PC et al	16-106485
N.H., NXF-Hawthorne, Nile et al v. Lockwood Andrews & Newnam PC et al	16-106484
D.C., NXF-Cheeseman, Sarah et al v. Lockwood Andrews & Newnam PC et al	16-106539
Z.J. NXF-Spicer-Johnson, Shantara v. Lockwood Andrews & Newnam PC et al	16-106540
C.W. NXF-Barnefske, Starla et al v. Lockwood Andrews & Newnam PC et al	16-106541
X.H. NXF-Hill, Trisha v. Lockwood Andrews & Newnam PC et al	16-106542
J.G. NXF-Gindlesperger, Joesy v. Lockwood Andrews & Newnam PC et al	16-106543
A.L. NXF-Hilliard, Lawanna et al v. Lockwood Andrews & Newnam PC et al	16-106544
T.P.1. NXF-Starks, Shatoya et al v. Lockwood Andrews & Newnam PC et al	16-106545
J.R.1. NXF-Ross, Jamanda et al v. Lockwood Andrews & Newnam PC et al	16-106546
A.N. NXF-Neely, Cerone v. Lockwood Andrews & Newnam PC et al	16-106547
S.W. NXF-King, Audra v. Lockwood Andrews & Newnam PC et al	16-106548
N.M. NXF-Webber, Jessica v. Lockwood Andrews & Newnam PC et al	16-106582
M.M. NXF-Moffett, Narvell v. Lockwood Andrews & Newnam PC et al	16-106583
M.S. Jr. NXF-Husocki, Jennifer v. Lockwood Andrews & Newnam PC et al	16-106584
S.C. NXF-Campbell, Debra v. Lockwood Andrews & Newnam PC et al	16-106585
D.M. NXF-Miller, Demita et al v. Lockwood Andrews & Newnam PC et al	16-106586
A.K.1. NXF-Michaund, Brittany et al v. Lockwood Andrews & Newnam PC et al	16-106587
A.E. NXF-Estrada, Ashley v. Lockwood Andrews & Newnam PC et al	16-106588
T.H. NXF-Triplett, Amara v. Lockwood Andrews & Newnam PC et al	16-106589
C.M. NXF-Murphy, Adam et al v. Lockwood Andrews & Newnam PC et al	16-106590
L.J. NXF-Walker, Rochelle et al v. Lockwood Andrews & Newnam PC et al	16-106591
J.M. NXF-Adams, Nicole et al v. Lockwood Andrews & Newnam PC et al	16-106660

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PO.B. NXF-Baker, Magen et al v. Lockwood Andrews & Newnam PC et al	16-106658
E.W. NXF-Williams, Ocie, Lee v. Lockwood Andrews & Newnam PC et al	16-106657
J.S. NXF-Snow, Jasmine et al v. Lockwood Andrews & Newnam PC et al	16-106656
N.H. NXF-Hatfield, Shannon v. v. Lockwood Andrews & Newnam PC et al	16-106655
A.B. NXF-Benedict, Jodi et al v. Lockwood Andrews & Newnam PC et al	16-106645
E.P. NXF-Paige, Cortney et al v. Lockwood Andrews & Newnam PC et al	16-106644
D.M. NXF-Ogburn, Mitaya v. Lockwood Andrews & Newnam PC et al	16-106643
E.N. NXF-Holland, Kevin v. Lockwood Andrews & Newnam PC et al	16-106653
A.H. NXF-Rogers, Tonya v. Lockwood Andrews & Newnam PC et al	16-106642
D.J. NXF-Killin, Demetria et al v. Lockwood Andrews & Newnam PC et al	16-106650
C.R. NXF-Jackson, Evelyn v. Lockwood Andrews & Newnam PC et al	16-106652
J.K. NXF-Woods, Latana et al v. Lockwood Andrews & Newnam PC et al	16-106654
J.H. NXF-Hamilton, Shanika et al v. Lockwood Andrews & Newnam PC et al	16-106651
JW 1 NXF-Lawler, Jasmine et al v. Lockwood Andrews & Newnam PC et al	16-106649
J.F. NXF-Davidson, Crystle v. Lockwood Andrews & Newnam PC et al	16-106648
Z.C.1. NXF-Nichols, Purcessine et al v. Lockwood Andrews & Newnam PC et al	16-106647
C.G. NXF-Groves, Jill et al v. Lockwood Andrews & Newnam PC et al	16-106646
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Monica Loomis, et al. v. Lockwood, Andrews & Newnam, PC, et al.	16-106436
Lonise Coulter, et al. v. Lockwood, Andrews & Newnam, PC, et al.	16-106435
Alicia Kuykendall, et al. v. Lockwood, Andrews & Newnam, PC, et al.	16-106434
Amanda Engelmann, et al. v. Lockwood, Andrews & Newnam, PC, et al.	16-106433
Okneea Hellems, et al. v. Lockwood, Andrews & Newnam, PC, et al.	16-106432
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Angielic Reed, et al. v. Lockwood, Andrews & Newnam, PC, et al.	16-106491

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Jacobi Gaines as next of friend of J.G. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107295
Joel Morris as next of friend of L.M., et al. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107294
Ladelia Hampton as next of friend of T.H. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107349
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Edsel Sanders as next of friend of T.S. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107354
Brooke Garrison as next of friend of F.S. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107356
Catessa Willie as next of friend of A.D., et al. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107355
Keiana Wilson as next of friend of K.W., et al. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107352
Shambria Mayers as next of friend of S.M. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107351
Kenyetta Waterford as next of friend of D.G., et al. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107350
Latasha Flowers as next of friend of H.F., et al. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107406
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Tanisha Summers as next of friend of T.M., et al. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107408
Sharika Gary as next of friend of K.G., et al. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107409
Jessica Grams as next of friend of K.T., et al. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107410
Shalonda Henderson as next of friend of C.D. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107411
Gabriel Wilson as next of friend of L.D. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107412
Hollie Maguire as next of friend of L.M. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107413
Denise Alexander as next of friend of A.A., et al. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107414

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Jessica Peppler , as next of friend of J.P. v. Lockwood Andrews and Newman, P.C., et al.	16-107461
Tryee Keyes as next of friend of A.K. v. Lockwood Andrews and Newman, P.C., et al.	16-107463
Kanisha Holmes as next of friend of D.C. v. Lockwood Andrews and Newman, P.C., et al.	16-107462
Tynice Miller as next of friend of S.J. et al. v. Lockwood Andrews and Newman, P.C., et al.	16-107464
Shirley Booker as next of friend of G.R. v. Lockwood Andrews and Newman, P.C., et al.	16-107465
Shade Taylor as next of friend of A.R. v. Lockwood Andrews and Newman, P.C., et al.	16-107466
Laketra Slaughter as next of friend of J.J.1. et al. v. Lockwood Andrews and Newman, P.C., et al.	16-107467
Kira Barnes as next of friend of E.B. et al. v. Lockwood Andrews and Newman, P.C., et al.	16-107468
Nichole Bovee as next of friend of A.G. et al. v. Lockwood Andrews and Newman, P.C., et al.	16-107469
Ashley Brand as next of friend of D.J. et al. v. Lockwood Andrews and Newman, P.C., et al.	16-107495
Ashley Capitola as next of friend of J.A. et al. v. Lockwood Andrews and Newman, P.C., et al.	16-107496
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Kapresha Barber as next of friend of J.B. et al. v. Lockwood Andrews and Newman, P.C., et al.	16-107500
Mariah Hillard as next of friend of N.H. et al. v. Lockwood Andrews and Newman, P.C., et al.	16-107501
Reekila Harris-Dudley as next of friend of R.K. v. Lockwood Andrews and Newman, P.C., et al.	16-107502
Sandra Lusane as next of friend of D.C. et al. v. Lockwood Andrews and Newman, P.C., et al.	16-107503
Robert Gillespie as next of friend of R.G. et al. v. Lockwood Andrews and Newman, P.C., et al.	16-107504
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Sharondra Foard as next of friend of K.F.1. et al. v. Lockwood Andrews and Newman, P.C., et al.	16-107541
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Amanda Burgess as next of friend of C.W. et al. v. Lockwood Andrews and Newman, P.C., et al.	16-107559
Amanda Smith as next of friend of A.S.1. et al. v. Lockwood Andrews and Newman, P.C., et al.	16-107560
Brenda Jackson as next of friend A.J. et al. v. Lockwood Andrews and Newman, P.C., et al.	16-107561
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Chiquita Scott as next of friend of O.S. et al. v. Lockwood Andrews and Newman, P.C., et al.	16-107610
Dondrell Smith Sr., as next of friend of T.W. et al. v. Lockwood Andrews and Newman, P.C., et al.	16-107611
Lacey Case as next of friend of C.H. et al. v. Lockwood Andrews and Newman, P.C., et al.	16-107612
Lindsey Goss as next of friend of Z.C. et al. v. Lockwood Andrews and Newman, P.C., et al.	16-107613
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Stephanie Ollie as next of friend of O.C. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107616
Deidra Mansfield as next of friend of M.L., et al. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107617
Terri Vaughn as next of friend of D.V., et al. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107618
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Donna Greenlick as next of friend of E.R., et al. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107671
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Iva Corthion as next of friend of L.H. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107679
Amie Dinnan as next of friend of R.R. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107717
Ashleigh Prieur as next of friend of A.M., et al. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107718
Autumn Proffitt as next of friend of A.S. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107719
Carrie Blaisdell as next of friend of J.H., et al. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107720
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Daniel Perryman as next of friend of N.R. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107722
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Satoria Carroll as next of friend of A.C., et al. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107796
Stephany Jackson as next of friend of S.D. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107797
Travis Jackson as next of friend of K.J., et al. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107798
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David Bishop as next of friend of N.B. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107820
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Johnnie Vary as next of friend of J.V., et al. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107822
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Eric Moore as next of friend of E.M. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107873
Michelle Vanderhagen as next of friend of M.S., et al. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107874
Billy Gorden as next of friend of B.G., et al. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107875
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Lamara Kline as next of friend of A.S., et al. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107877
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Manuel Davis as next of friend of M.D., et al. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107879
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Letisha Davis as next of friend of D.D., et al. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107881
Lance Ford as next of friend of I.J., et al. v. Lockwood, Andrews & Newnam, P.C., et al.	16-107882
Cindi McBroom as next of friend of P.G. v. Lockwood Andrews & Newnam P.C., et al.	16-107914
Jessica Pintacura as next of friend of F.J. et al. v. Lockwood Andrews & Newnam P.C., et al.	16-107915
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Tavares White as next of friend of K.W. v. Lockwood Andrews & Newnam P.C., et al.	16-108008
Teresa Boom as next of friend of K.G. et al. v. Lockwood Andrews & Newnam P.C., et al.	16-108009
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Lashonna Wallace as next of friend of A.W. v. Lockwood Andrews & Newnam P.C., et al.	16-108099
Amanda McGrath as next of friend of S.M. et al. v. Lockwood Andrews & Newnam P.C., et al.	16-108100
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Gloria Spearman as next of friend of B.S. v. Lockwood Andrews & Newnam P.C., et al.	16-108102
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Aasiyah Meeks as next of friend of A.M. v. Lockwood, Andrews & Newnam, P.C., et al.	16-108149
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Tanya Barnett as next of friend of E.B., et al. v. Lockwood, Andrews & Newnam, P.C., et al.	16-108153
Shaniece Mickens as next of friend of J.H. v. Lockwood, Andrews & Newnam, P.C., et al.	16-108154
Keri Jo Wells as next of friend of J.W., et al. v. Lockwood, Andrews & Newnam, P.C., et al.	16-108156
Kimberly Gaddy as next of friend of K.G., et al. v. Lockwood, Andrews & Newnam, P.C., et al.	16-108157
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Vanessa Singelton-Hill, et al. v. Lockwood, Andrews & Newnam, et al.	17-110098

Michigan Court of Claims

Case Name	Case No.
Melissa Atkins, Grace Howard, Elleane Raji; Erethea Easterwood; Bilaal Sims, individually and as natural parent and personal representative for K.S. and M.S.; Eric Simmons; Joseph Gant; Deborah Gant; Clifton Houston; Emma Hill, individually and as natural parent and personal representative for C.R., v Governor Rick Snyder, in his individual and official capacities; and the State of Michigan for prospective relief only; Michigan Department of Environmental Quality, Michigan Department of Health and Human Services; Daniel Wyant; Nick Lyon; Andy Dillon; Liane Shekter-Smith; Adam Rosenthal; Stephen Bush; Patrick Cook; Michael Prysby; Bradley Wurfel; Jeff Wright; Edward Kurtz; Darnell Earley; Gerald Ambrose; Eden Wells; Nancy Peeler; and Robert Scott, in their individual and official capacities, jointly and severally.	17-000217
Brenda Brown, Keri Webber, Michael Webber, Stephanie Webber, and "VW", a minor, by and through her next friends Keri Webber and Michael Webber, v Governor Rick Snyder, in his individual and official capacities, and the State of Michigan for prospective relief only; Michigan Department of Environmental Quality; Michigan Department of Health and Human Services; Daniel Wyant; Nick Lyon; Andy Dillon; Liane	17-000291

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Shekter-Smith; Adam Rosenthal; Stephen Busch; Patrick Cook; Michael Prysby; Bradley Wurfel; Jeff Wright; Edward Kurtz; Darnell Earley; Gerald Ambrose; Eden Wells; Nancy Peeler; and Robert Scott, in their individual and official capacities, jointly and severally.	
Hazim Gulla, Ikhlas Gulla; Heather Gulla; Holly Gulla; Heidi Gulla; Darrel Davis; Barbara Davis; Elisa Kline, individually and as a parent/guardian of Mason Kline; Mason Kline in his own right; Ellen Eberhardt; Jimmy James; Larosa Patrick; Helen Chapman; Damarius Chapman; Sade Chapman; Dionte Chapman; Tajuana Chapman; Tashiana Chapman; Kyeira Howell; Lashonda Jones; Dorothy Chapman, individually and as a parent/guardian of Shamiya Chapman, and as conservator of the estate of Lula Pearl Atkins-Nelson; Shamiya Chapman in her own right; Dequan Chapman; Harry Chapman; Michael Lymon; Deborah Chapman Marshall; Frederick Marshall; Essie Chapman; Inez Marie Walker; Ronnie L. Walker; Shawana M. Walker; Steven W. Redmond; Jerome Chapman; Jeanette Chapman; Maurice Chapman; May Chapman; John W. Chapman; Bobbie Rodgers; Henry C. Biggs; Renita M. Coleman; Meleisa A. Betts; Angela Price; D'anna N. Price; Aa'niyah Evans; Artayah Price; Bobby Dean Grace; Terry Gravelle; Marilyn Doney-Gravelle, individually and as a parent/guardian of Angelina Doney; Angelina Doney in her own right; Annie M. Hicks; Joshua Hicks; Laquantus Cardwell; Raven Neal; Romero Cardwell; Sirqron Cardwell; Kathleen Clifton and Carlton Butler, individually and as parents/guardians of Daniel Clifton, in his own right, Debbie Mitchell-Butler, in her own right; Daniel Clifton in his own right; Debbie Mitchell-Butler in her own right; Magnolia Younger; Ryan Younger; Gowon Younger; Tiesha Taylor, individually and as a parent/guardian of Damarrion E. Taylor, Mariah Taylor and Kaniya Taylor; Damarrion E. Taylor in his own right; Mariah Taylor in her own right; and Kaniya Taylor in her own right; Paula Brown,	16-000298
v The State of Michigan, acting through the Governor's Office; Governor Rick Snyder, in his official capacity; Dan Wyant, in his official capacity; the Michigan Department of Environmental Quality; the Michigan Department of Health and Human Services; and Flint Emergency Managers Edward Kurtz, Darnell Earley and Jerry Ambrose, in their official capacities.	
Tamara Nappier, as mother and next friend of Takarie Nappier, a minor child, on behalf of Takarie Nappier and a class of all others similarly situated, v Richard Snyder (individually), Darnell Earley (individually), Gerald Ambrose (individually), Daniel Wyant (individually and in his official capacity), Liane Shekter Smith (individually and in her official capacity), Stephen Busch (individually and in his official capacity), Patrick Cook (individually and in his official capacity), Michael Prysby (individually and in his official capacity), Bradley Wurfel (individually and in his official capacity),, Eden Victoria Wells (individually and in her official capacity), Nick Lyon (individually and in his official capacity), Nancy Peeler (individually and in her official capacity), Robert Scott (individually and in his official capacity).	16-000071

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<p>Lawrence Washington, Jr., individually and as next of friend of five minor children, Taylor Washington, Morgan Washington, Chloe Washington, Madison Washington and Lawrence Washington; Aaron Swinger; Anegela Way; Connie McNeal, et al.</p> <p>v</p> <p>Gov. Snyder, State of Michigan, MDEQ, MDHHS, Darnell Earley, Gerald Ambrose, Mike Brown and Ed Kurtz.</p>	16-0000300
<p>Beatrice Boler, Pastor Edwin Anderson, Mrs. Alline Anderson, and Epco Sales, LLC, all individually and on behalf of a class of all other similarly situated, Plaintiffs,</p> <p>v.</p> <p>Governor Rick Snyder, in his official capacity, and the State of Michigan for prospective relief only; Michigan Department of Environmental Quality, Michigan Department of Health and Human Services, Daniel Wyant, Liane Shekter Smith, Adam Rosenthal, Stephen Busch, Patrick Cook, Michael Prysby, Bradley Wurfel, all in their individual capacities; Ed Kurtz, Darnell Earley, Gerald Ambrose, Dayne Walling, Howard Croft, Michael Glasgow, and Daughtery Johnson, III, in their individual and official capacities, Lockwood, Andrews & Newnam, P.C. Lockwood Andrews & Newnam, Inc., and the City of Flint, a municipal corporation, Defendants</p>	16-0000126
<p>Melissa Mays, individually and as next friend of three minor children C.M.1, C.M.2, and C.M.3, Michael Adam Mays, Jacqueline Pemberton, Keith John Pemberton, Elnora Carthan, and Rhonda Kelso, individually and as next friend of one minor child K.E.K., all on behalf of themselves and a class of all others similarly situated, Plaintiffs,</p> <p>v.</p> <p>Governor Rick Snyder, State of Michigan, Michigan Department of Environmental Quality, Michigan Department of Health and Human Services, Darnell Earley, and Jerry Ambrose, Defendants</p>	16-0000017
<p>Melissa Mays, individually and as next friend of three minor children C.M.1, C.M.2 and C.M.3, Michael Adam Mays, Jacqueline Pemberton, Keith John Pemberton, Elnora Carthan, and Rhonda Kelso, individually and as next friend of one minor child K.E.K., all on behalf of themselves and a class of all others similarly situated, Plaintiffs,</p> <p>v.</p> <p>Eden Wells, M.D., Defendant</p>	16-0000057

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In Re Flint Water Cases

No. 5:16-cv-10444-JEL-MKM

HON. JUDITH E. LEVY

MAG. MONA K. MAJZOUB

EXHIBIT 3

Case 5:16-cv-10444-JEL-MKM ECF No. 1319-2, PageID.40747 Filed 11/18/20 Page 338 of 839

EXHIBIT 3

ALL CLASS ACTION CASES

U.S. District Court for the Eastern District of Michigan

On January 27, 2017, Judge Judith E. Levy entered an order (Dkt. No. 173) in the U.S. District Court for the Eastern District of Michigan granting a motion to consolidating the following class action lawsuits:

Case Name	Case No.
Elnora Carthan, Rhonda Kelso, individually and as next of friend of K.E.K., a minor child; Darrell and Barbara Davis; Michael Snyder, as personal representative of the Estate of John Snyder, deceased; Marilyn Bryson; David Munoz; Tiantha Williams; individually and as next of friend of T.W., a minor child; Amber Brown, as next of friend of K.L.D., a minor child; Frances Gilcreast; EPCO Sales, LLC; Angelo's Coney Island Palace, Inc., on behalf of themselves and all others similarly situated, Plaintiffs, v. Governor Rick Snyder, in his individual and official capacities; the State of Michigan; the City of Flint; Daniel Wyant, in his individual capacity; Andy Dillon, in his individual capacity; Nick Lyon, in his individual capacity; Nancy Peeler, in her individual capacity; Liane Shekter-Smith, in her individual capacity; Adam Rosenthal, in his individual capacity; Stephen Busch, in his individual capacity; Patrick Cook, in his individual capacity; Michael Prysby, in his individual capacity; Bradley Wurfel, in his individual capacity; Jeff Wright, in his individual capacity; Edward Kurtz, in his individual capacity; Darnell Earley, in his individual capacity; Gerald Ambrose, in his individual capacity; Dayne Walling, in his individual capacity; Howard Croft, in his individual capacity; Michael Glasgow, in his individual capacity; Daughtery Johnson, in his individual capacity; Lockwood, Andrews & Newnam, P.C.; Lockwood, Andrews & Newnam, Inc.; Leo A. Daly Company; Veolia North America, LLC; Veolia North America, Inc.; Veolia Water North America Operating Services, LLC, Defendants	16-10444 (Formerly <i>Waid v. Snyder</i>)
Mya McMillian, individually and as next friend of two minor children, Janiyah McMillian and Cassidy McMillian; Amanda Fetterman, individually and as next friend of four minor children, Rylyn Eaton, Kloe Eaton, Suvanna Eaton, and Ryder Eaton; Melissa Lightfoot, individually and as next friend of three minor children Travaugh Lightfoot, Kameryn Adams, and Payton Adams; Patricia Funches, individually and as next friend of one minor child, Malik Terry; Amber Brown, individually and as next friend of one minor child, Kora Danks; Tiesha Tipton, individually and as next friend of four minor children, Andrea Tipton, Ahmahri Spillers, Andre Spillers and Aljah Spillers; Mary Mathes, individually and as next friend of two minor children, Skyler Adam Mathes and Shaun Allan Mathes, Plaintiffs, v.	16-10796

*This list has been composed using the best information available and is subject to amendment if new or more accurate information becomes available.

Case 5:16-cv-10444-JEL-MKM ECF No. 1319-2, PageID.40748 Filed 11/18/20 Page 339 of 839

Governor Richard Dale Snyder, in his official capacity, and the State of Michigan, for prospective relief only; Daniel Wyant, Liane Shekter Smith, Adam Rosenthal, Stephen Busch, Patrick Cook, Michael Prysby, Bradley Wurfel, all in their individual capacities; Darnell Earley, Gerald Ambrose, Dayne Walling, Howard Croft, Michael Glasgow, and Daugherty Johnson, in their individual and official capacities, City of Flint, a municipal corporation, jointly and severally, Lockwood, Andrews & Newnam, P.C., a Michigan corporation, Lockwood, Andrews & Newnam, Inc., a Texas Corporation, and Leo A. Daly Company, a Nebraska corporation, Defendants	
Frances Gilcreast; Vivian Kelley; Estella A. Simpkins; and Beverly's Restaurant, Cakes & Catering, Plaintiffs, v. Lockwood, Andrews & Newnam, P.C.; LAN Inc.; Leo A. Daly Company; Veolia North America, LLC; Veolia Environnement S.A.; the State of Michigan; the Department of Environmental Quality; Richard Dale Snyder; Daniel Wyant; Liane Shekter Smith; Adam Rosenthal; Stephen Busch; Patrick Cook; Michael Prysby; Bradley Wurfel; Darnell Earley; Gerald Ambrose; Edward Kurtz; and Michael Glasgow, Defendants	16-11173
Lawrence Washington, Jr., individually and as next friend of five minor children, Taylor Washington, Morgan Washington, Chloe Washington, Madison Washington, Lawrence Washington; Christa Godin, individually and as next friend of three minor children, Angel Arrand, Auston Arrand, William Zietz III; Roosevelt Cameron; Deborah Smith; Aby Ndoye, Shanika Mixon and Robin Davis, all on behalf of themselves and a class of all others similarly situated, Plaintiffs, v. Governor Richard Dale Snyder, in his individual capacity, Dennis Muchmore, in his individual capacity, and the State of Michigan, for prospective relief only; the Michigan Department of Environmental Quality ("MDEQ"), the Michigan Department of Health and Human Services ("MDHHS"), Ed Kurtz, Darnell Earley, Gerald Ambrose, Howard Croft, Michael Glasgow, Daniel Wyant, Liane Shekter Smith, Stephen Busch, Patrick Cook, Michael Prysby, Bradley Wurfel, Eden Wells, Nick Lyon, Linda Dykema, Nancy Peeler, Robert Scott, in their individual and official capacities, Rowe Professional Service Company, a Michigan Corporation, Lockwood, Andrews & Newnam, Inc., a Texas Corporation, Veolia North America, LLC, a Delaware Corporation, Dayne Walling, and the City of Flint, a municipal corporation, jointly and severally, Defendants	16-11247
Tiffany Davenport, individually and as next friend and mother of B.W. and E.D., minor children, Merin Johnson, Gregory Miller, and Twyla Walker, individually and as next friend and mother of M.N. and D.W., minor children, Plaintiffs, v. Lockwood, Andrews & Newnam, P.C., Lockwood, Andrews & Newnam Inc., Leo A. Daly Company, Veolia North America, Inc., Veolia North America, LLC, Veolia Water North America Operating Services, LLC, Veolia Environnement, S.A., Defendants	16-12875
Village Shores, LLC, Angelos Coney Island Palace, Inc., Jan Burgess, David Munoz, Joshua Boggess, Michael Snyder, Sherry Mulherin, Laquisha Jacobs, Zhanna Gardin, and Eddie Hammond, Plaintiffs	16-14498

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Case 5:16-cv-10444-JEL-MKM ECF No. 1319-2, PageID.40749 Filed 11/18/20 Page 340 of 839

<p>v.</p> <p>Lockwood, Andrews & Newnam, P.C., Lockwood, Andrews & Newnam, Inc.; Leo A. Daly Company; Veolia North America, Inc.; Veolia North America, LLC; Veolia Water North America Operating Services, LLC; Veolia Environnement, S.A.; Governor Rick Snyder, State of Michigan, City of Flint, Daniel Wyant, Nick Lyon, Andy Dillon, Liane Shekter-Smith, Adam Rosenthal, Stephen Busch, Patrick Cook, Michael Prysby, Bradley Wurfel, Jeff Wright, Edward Kurtz, Darnell Earley, Gerald Ambrose, Dayne Walling, Howard Croft, Michael Glasgow, and Daugherty Johnson, in their individual and official capacities, Defendants</p>	
<p>Lowery, Tommie Sr., individually, and as next friend of Tommie Lowery, Jr., Isiah Lowery, and Marcus Lowery; Sandra York; Dorsey Ross, Jr.; Eugene Nelson; and Bernie Nelson, on behalf of themselves and as class representatives of all other similarly situated Plaintiff putative class members, Plaintiffs,</p> <p>v.</p> <p>Lockwood, Andrews & Newnam, P.C.; LAN, Inc.; Leo A. Daily Company; Veolia North America, LLC, and Veolia Environnement S.A.; Rowe, LLC; the State of Michigan and Governor Rick Snyder; the Michigan Department of Health and Human Services; Eden Victoria Wells, M.D.; Stephen Busch; Liane Schekter Smith; Adam Rosenthal; Patrick Cook; Michael Prysby; Bradley Wurfel; Daniel Wyant; Flint Emergency Managers Edward Kurtz, Darnell Earley and Jerry Ambrose, Defendants</p>	17-10343
<p>Tonya Rogers, individually and as next friend and mother of A.H. and Z.R., minor children; Carl Johnson; and William Thomas, Plaintiffs,</p> <p>v.</p> <p>Lockwood, Andrews & Newnam, P.C., Lockwood, Andrews & Newnam Inc., Leo A. Daly Company, Veolia North America, Inc., Veolia North America, LLC, Veolia Water North America Operating Services, LLC, Veolia Environnement, S.A., Defendants</p>	17-10360
<p>Lawrence Washington, Jr., individually and as next friend of five minor children, Taylor Washington, Morgan Washington, Chloe Washington, Madison Washington, Lawrence Washington, Aaron Swinger, Angela Way, Connie McNeal, all on behalf of themselves and a class of all others similarly situated, Plaintiffs,</p> <p>v.</p> <p>Governor Richard Dale Snyder, Dennis Muchmore, Andy Dillon, R. Kevin Clinton, Daniel Wyant, Nick Lyon, Liane Shekter Smith, Stephen Busch, Patrick Cook, Michael Prysby Bradley Wurfel, Mike Brown, Ed Kurtz, Darnell Earley, Gerald Ambrose, Dayne Walling, Howard Croft, Michael Glasgow, Daniel Wyant, Eden Wells, Linda Dykema, Nancy Peeler, Robert Scott, Rowe Professional Service Company, a Michigan corporation, Lockwood, Andrews & Newnam, Inc., a Texas corporation, Lockwood, Andrews, & Newnam P.C., a Michigan corporation Leo A. Daly, a Nebraska corporation, Veolia North America, Inc., a Delaware corporation, Veolia North America, LLC, a Delaware limited liability company</p>	17-10799

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Case 5:16-cv-10444-JEL-MKM ECF No. 1319-2, PageID.40750 Filed 11/18/20 Page 341 of 839

Veolia North America Operating Services, LLC, a Delaware limited liability company, each, a wholly owned subsidiary of Veolia Environment S.A., a French transnational company, City of Flint, a municipal corporation, Defendants	
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In that same order, Judge Levy consolidated all of the class actions under *Carthan, et al v. Snyder, et al*, Case No. 16-10444. In subsequent orders (Dkt. Nos. 185, 232, 441, and 453), Judge Judith E. Levy consolidated the following additional cases into Case No. 16-10444:

Case Name	Case No.
Melissa Mays, individually and as next friend of three minor children CM1, CM2 and CM3, Michael Adam Mays, Jacqueline Pemberton, Keith John Pemberton, Elnora Carthan, Rhonda Kelso, individually and as next friend of one minor child KEK, Brandyn Carpenter, Jesse Carpenter and Kimberly Carpenter individually and next friends to their two minor children CC and JC, Adam Murphy and Christina Murphy individually and as next friend to their five minor children KDCM, SMM, CM, LAM, DMM, Michael Snyder, Personal Representative of the Estate of John Snyder, deceased, all on behalf of themselves and a class of all others similarly situated, Plaintiffs, v. Governor Rick Snyder, State of Michigan, Daniel Wyant, Bradley Wurfel, Patrick Cook, Michael Prysby, Andy Dillon, Liane Shekter Smith, Adam Rosenthal, Stephen Busch, Nancy Peeler, Robert Scott Jeff Wright, Edward Kurtz, Darnell Earley, Gerald Ambrose, Dayne Walling, Howard Croft, Michael Glasgow and Daugherty Johnson, City of Flint, Lockwood, Andrews & Newnam, P.C., Lockwood, Andrews & Newnam, Inc., Leo A. Daly Company, Rowe Professional Services Company, f/k/a Rowe Engineering, Inc., Veolia North America, LLC, Veolia North America, Inc., Veolia Water North America Operating Services, LLC, Veolia Environment, S.A., Defendants	17-10996
Chantal Travis, individually and as next friend and mother of J.T., Y.T., and D.T., minor children; Renee Anderson; Shalandra Green, individually and as next friend and mother of Z.T., minor child; and Aloysius Garrow, Plaintiffs, v. Lockwood, Andrews & Newnam, P.C., Lockwood, Andrews & Newnam Inc., Leo A. Daly Company, Veolia North America, Inc., Veolia North America, LLC, Veolia Water North America Operating Services, LLC, Veolia Environnement, S.A., Defendants	17-10941
Melisa Mays, individually and as next friend of three minor children, Michael Mays, Jacqueline Pemberton, Keith John Pemberton, Elnora Carthan, and Rhonda Kelso, individually and as next friend of one minor child, all on behalf of themselves and a class of all others similarly situated, Plaintiffs, v. Governor Rick Snyder, in his official capacity, and the State of Michigan for prospective relief only; Daniel Wyant, Liane Shekter Smith, Adam Rosenthal,	15-14002

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Case 5:16-cv-10444-JEL-MKM ECF No. 1319-2, PageID.40751 Filed 11/18/20 Page 342 of 839

Stephen Busch, Patrick Cook, Michael Prysby, Bradley Wurfel all in their individual capacities; Darnell Earley, Gerald Ambrose, Dayne Walling, Howard Croft, Michael Glasgow and Daugherty Johnson in their individual and official capacities, and the City of Flint, a municipal corporation, jointly and severally, Defendants.	
Beatrice Boler, individually and as a class representative; Pastor Edwin Anderson and Mrs. Alline Anderson, individually and as a class representative; EPCO Sales LLC, individually and as a class representative, Plaintiffs, v. Darnell Earley, individually, and in his official capacity as Emergency Manager), and Gerald Ambrose, (individually, and in his official capacity as Emergency Manager), and Dayne Walling, (individually, and in his official capacity as Mayor), and City of Flint, and Hon. Richard Dale Snyder, (individually, and in his official capacity as Governor) and State of Michigan, and State of Michigan Department of Environmental Quality, and State of Michigan, Department of Health and Human Service, Defendants	16-10323

Genesee County Circuit Court

On November 15, 2016, Judge Richard B. Yuille, entered a case management order—which was amended on October 10, 2017—consolidating the following class actions in the Genesee County Circuit Court:

Case Name	Case No.
Jennifer Mason, et al. v. Lockwood, Andrews & Newnam, P.C., et al.	16-106150
Doris Collins, Robin Pleasant, Jason Phinisee, on behalf of themselves and a class of all others similarly situated, Plaintiffs v. Governor Rick Snyder, in his official capacity and State of Michigan for prospective relief only, Darnell Earley, Dayne Walling, Howard Croft and the City of Flint, a municipal corporation, jointly and severally, Defendants	16-106077
Melissa Mays, individually and as next friend of three minor children, C.M.1, C.M.2, and C.M.3, Michael Adam Mays, Jacqueline Pemberton, Keith John Pemberton, Elnora Carthan, and Rhonda Kelso, individually and as next friend of one minor child K.E.K., all on behalf of themselves and a class of all others similarly situated, Plaintiffs v. City of Flint, a municipal corporation, Receivership Transition Advisory Board, a municipal agency, Natasha Henderson, Eden Victoria Wells, M.D., Stephen	16-106112

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Case 5:16-cv-10444-JEL-MKM ECF No. 1319-2, PageID.40752 Filed 11/18/20 Page 343 of 839

Busch, Liane Shekter-Smith, Adam Rosenthal, Patrick Cook, Michael Prysby, Bradley Wurfel, Howard Croft, Michael Glasgow and Daugherty Johnson, jointly and severally, Defendants.	
Waid v. City of Flint	16-106264
Brown, Willie v. City of Flint	19-113245
In re Flint Water Litigation (GCCC)	17-108646

Michigan Court of Claims

The following is a list of class action lawsuits pending in the Michigan Court of Claims:

Case Name	Case No.
Beatrice Boler, Pastor Edwin Anderson, Mrs. Alline Anderson, and Epco Sales, LLC, all individually and on behalf of a class of all other similarly situated, Plaintiffs, v. Governor Rick Snyder, in his official capacity, and the State of Michigan for prospective relief only; Michigan Department of Environmental Quality, Michigan Department of Health and Human Services, Daniel Wyant, Liane Shekter Smith, Adam Rosenthal, Stephen Busch, Patrick Cook, Michael Prysby, Bradley Wurfel, all in their individual capacities; Ed Kurtz, Darnell Earley, Gerald Ambrose, Dayne Walling, Howard Croft, Michael Glasgow, and Daugherty Johnson, III, in their individual and official capacities, Lockwood, Andrews & Newnam, P.C. Lockwood Andrews & Newnam, Inc., and the City of Flint, a municipal corporation, Defendants	16-000126
Hazim Gulla, Ikhalias Gulla; Heather Gulla; Holly Gulla; Heidi Gulla; Darrel Davis; Barbara Davis; Elisa Kline, individually and as a parent/guardian of Mason Kline; Mason Kline in his own right; Ellen Eberhardt; Jimmy James; Larosa Patrick; Helen Chapman; Damarius Chapman; Sade Chapman; Dionte Chapman; Tajuana Chapman; Tashiana Chapman; Kyeira Howell; Lashonda Jones; Dorothy Chapman, individually and as a parent/guardian of Shamiya Chapman, and as conservator of the estate of Lula Pearl Atkins-Nelson; Shamiya Chapman in her own right; Dequan Chapman; Harry Chapman; Michael Lymon; Deborah Chapman Marshall; Frederick Marshall; Essie Chapman; Inez Marie Walker; Ronnie L. Walker; Shawana M. Walker; Steven W. Redmond; Jerome Chapman; Jeanette Chapman; Maurice Chapman; May Chapman; John W. Chapman; Bobbie Rodgers; Henry C. Biggs; Renita M. Coleman; Meleisa A. Betts; Angela Price; D'anna N. Price; Aa'niyah Evans; Artayah Price; Bobby Dean Grace; Terry Gravelle; Marilyn Doney-Gravelle, individually and as a parent/guardian of Angelina Doney; Angelina Doney in her own right; Annie M.	16-000298

*This list has been composed using the best information available and is subject to amendment if new or more accurate information becomes available.

Case 5:16-cv-10444-JEL-MKM ECF No. 1319-2, PageID.40753 Filed 11/18/20 Page 344 of 839

Hicks; Joshua Hicks; Laquantus Cardwell; Raven Neal; Romero Cardwell; Sirqron Cardwell; Kathleen Clifton and Carlton Butler, individually and as parents/guardians of Daniel Clifton, in his own right, Debbie Mitchell-Butler, in her own right; Daniel Clifton in his own right; Debbie Mitchell-Butler in her own right; Magnolia Younger; Ryan Younger; Gowon Younger; Tiesha Taylor, individually and as a parent/guardian of Damarrion E. Taylor, Mariah Taylor and Kaniya Taylor; Damarrion E. Taylor in his own right; Mariah Taylor in her own right; and Kaniya Taylor in her own right; Paula Brown, Plaintiffs v. The State of Michigan, acting through the Governor's Office; Governor Rick Snyder, in his official capacity; Dan Wyant, in his official capacity; the Michigan Department of Environmental Quality; the Michigan Department of Health and Human Services; and Flint Emergency Managers Edward Kurtz, Darnell Earley and Jerry Ambrose, in their official capacities, Defendants	
Melissa Mays, individually and as next friend of three minor children C.M.1, C.M.2, and C.M.3, Michael Adam Mays, Jacqueline Pemberton, Keith John Pemberton, Elnora Carthan, and Rhonda Kelso, individually and as next friend of one minor child K.E.K., all on behalf of themselves and a class of all others similarly situated, Plaintiffs, v. Governor Rick Snyder, State of Michigan, Michigan Department of Environmental Quality, Michigan Department of Health and Human Services, Darnell Earley, and Jerry Ambrose, Defendants	16-000017
Melissa Mays, individually and as next friend of three minor children C.M.1, C.M.2 and C.M.3, Michael Adam Mays, Jacqueline Pemberton, Keith John Pemberton, Elnora Carthan, and Rhonda Kelso, individually and as next friend of one minor child K.E.K, all on behalf of themselves and a class of all others similarly situated, Plaintiffs, v. Eden Wells, M.D., Defendant	16-000057
Tamara Nappier, as mother and next friend of Takarie Nappier, a minor child, on behalf of Takarie Nappier and a class of all others similarly situated, Plaintiffs v. Richard Snyder (individually), Darnell Earley (individually), Gerald Ambrose (individually), Daniel Wyant (individually and in his official capacity), Liane Shekter Smith (individually and in her official capacity), Stephen Busch (individually and in his official capacity), Patrick Cook (individually and in his official capacity), Michael Prysby (individually and in his official capacity), Bradley Wurfel (individually and in his official capacity), Eden Victoria Wells (individually and in her official capacity), Nick Lyon (individually and in his official capacity), Nancy Peeler (individually and in her official capacity), Robert Scott (individually and in his official capacity), Defendants	16-000071

*This list has been composed using the best information available and is subject to amendment if new or more accurate information becomes available.

EXHIBIT 2

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re FLINT WATER CASES

**Civil Action No. 5:16-cv-10444-JEL-
(consolidated)**

Hon. Judith E. Levy

**REPORT OF SPECIAL MASTER ON EVALUATION OF OPT OUT
FORMS SUBMITTED IN CONNECTION WITH THE PARTIAL
SETTLEMENT**

On January 21, 2021, the Court issued its *Opinion and Order Granting Plaintiffs' Motion to Establish Settlement Claims Procedures and Allocation and for Preliminary Approval of Class Settlement Components [1318]* and *Granting Plaintiffs' Motion for an Order Adopting the Proposed Motion for Approval of Wrongful Death Settlement [1334]*, ECF No. 1399 (“Order”).¹ In that Order, the Court established March 29, 2021 as the deadline for those persons or entities who comprise the proposed settlement class to register for, object to, or opt out of the settlement. Registration forms and opt-out forms were to be submitted to the Claims Administrator to be logged and compiled. The Claims Administrator has provided to the Settling Parties and the Special Master a compilation of the opt-out forms

¹ All capitalized terms herein have the same meaning set forth in the Amended Settlement Agreement that the Court has preliminarily approved.

submitted. Under Article 19 of the Amended Settlement Agreement (“ASA”), the class counsel and the defendants are to review the opt-out forms and confer and determine whether the number and type of opt-outs are such that the defendants will have a right to reject the settlement.

After an initial review of the opt-out forms, it appeared that some individuals who submitted opt-out forms may have done so by mistake or may have submitted such forms because they understood that they were required to do so in order to assure that they would not receive compensation from the settlement. In many cases, individuals submitted both registration forms and opt-out forms. In some cases, opt-out forms were submitted by individuals who are not class members – and therefore do not actually have the right to “opt out” of the class component of the settlement.

At the Court’s request, Co-Lead Class Counsel undertook to contact individuals who had submitted opt-out forms to ascertain their intent. These inquiries revealed that many individuals who submitted opt-out forms actually intended to register and submitted the opt-out forms by mistake.

The following report provides a categorization of the opt-out submissions in accordance with the provisions of Article 19 and provides a recommendation with respect to the treatment of those who erroneously submitted opt-out forms.

SUMMARY OF REVIEW

A total of 195 opt-out forms were submitted timely (*i.e.*, received or postmarked on or before March 29, 2021)². Of these timely opt-out forms, 30 were submitted by Individual Plaintiffs who are not counted as opt-outs under Article 19 of the ASA because they are not class members, and 14 of the forms do not meet the requirements of a valid opt-out under the ASA because the individual did not check the box confirming the desire to opt-out and/or did not sign the opt-out form.³ Of the remaining 151 individuals who submitted opt-out forms, 39 advised Class Counsel that they intended to participate in the settlement and completed the opt-out form by mistake. Of those 39 individuals, three advised that they were attempting to register for themselves and their spouse but mistakenly used the opt-out form and not the registration form. Some of these individuals also submitted a registration form and some completed the opt-out form believing it was in fact a registration

² The total count excludes two forms submitted with no name or contact information and one record that was not an opt-out form but a returned mailing that the individual was deceased and should be removed from the database.

³ Section 19.1 of the Amended Settlement Agreement provides, in pertinent part: “An individual or entity who is a Class Member that requests to be excluded from the Settlement Class may do so only by sending a written request on the form attached as Exhibit 14, along with the information requested in that form, personally signed by the person, Next Friend, personal representative, or entity (as opposed to counsel), to the address provided in the Settlement Class Notice that is postmarked on or before the date to be ordered by the Federal Court.” ASA § 19.1.

form.⁴ After accounting for the circumstances above, there are 112 individuals or entities that timely completed the opt-out form as required and have indicated that they intended to opt-out of the settlement class.⁵

Article 19 of the Amended Settlement Agreement provides to Defendants the right to rescind the settlement if more than certain specified numbers of individuals who are class members submit valid opt-out forms. Specifically, Section 19.3 of the ASA provides that defendants shall have the right to rescind the settlement under the following conditions:

- (1) if 200 or more persons or members in the Adult Exposure Subclass, or the Property Damage Subclass, or the Business Economic Loss Subclass elect to opt-out of the settlement (ASA §§19.3.1, 19.3.4, 19.3.6); or
- (2) if the number of opt-outs in either the Adult Exposure Subclass or the Property Damage Subclass is more than 100 but less than 200, and (a) there are more than 10 opt-outs from the Adult Exposure Subclass who

⁴ A list of these individuals is contained in the Declaration of Leslie Kroeger (“Kroeger Declaration”), attached hereto as Exhibit 1.

⁵ Class Counsel was not able to reach 8 of these 112 individuals or entities. (Six were contacted but failed to respond to multiple calls. Two individuals did not provide contact information on the forms.) Co-lead class counsel therefore could not determine whether or not these 8 intended to participate in the settlement and completed the opt-out form by mistake. *See* Exhibit 1, Kroeger Declaration at paragraphs 6 and 7. For the purposes of this Report, the 8 are presumed to have intended to opt-out.

between April 25, 2014 and July 31, 2016 had a blood lead level test of 5ug/dl or more or (b) more than 10 opt-outs from the Adult Exposure Subclass lived in a residence that had a water lead test between April 25, 2014 and July 31, 2016 showing lead at 15ppb or more or (c) more than 10 opt-outs from the Adult Exposure Subclass lived in a residence between April 25, 2014 and July 31, 2016 that had a galvanized steel or lead service line, or (d) more than 10 opt-outs from the Property Damage Subclass owned real property that had a water lead test showing lead at 15 ppb or more between April 25, 2014 and July 31, 2016 or (e) more than 10 opt-outs from the Property Damage Subclass owned real property during the period April 25, 2014 and July 31, 2016 that had lead or galvanized steel service lines at that time (*id.* at §§ 19.3.2, 19.3.5); or

- (3) if anyone opt-out in the Adult Exposure Subclass claims that they contracted or died of Legionnaires' Disease between April 25, 2014 and December 31, 2018 (*id.* at §19.3.3).

I have reviewed the opt-out forms to determine whether any of these requirements for rescission have been met. The result of that analysis is set forth below.

For purposes of determining the total timely valid opt-outs and their categorization into subclasses, this Report applies the following protocols:

1. A form is defined as a valid opt-out if it was timely and was signed and the opt-out box is checked and if it was not submitted by an Individual Plaintiff as set forth above.
2. An opt-out is considered to be in the Adult Exposure Subclass if the Adult Exposure Subclass box in Question 1 of the opt-out form was checked.
3. An opt-out is considered to be in the Property Damage Subclass if the Property Damage Subclass box in Question 1 of the opt-out form was checked.
4. An opt-out is considered to be in the Business Economic Loss Subclass if the Business Economic Loss Subclass box in Question 1 of the opt-out form was checked.
5. If an opt-out identified more than one Subclass, the opt-out is “counted” in each of the identified Subclasses in the analysis below.

Rescission under Sections 19.3.1, 19.3.4, and 19.3.6.

The total number of opt-out forms is less than 200. Therefore, the rescission rights under Sections 19.3.1, 19.3.4 and 19.3.6 do not apply.

Rescission under Section 19.3.2, 19.3.3 and 19.3.5.

A. Opt-Out Submissions in the Adult Exposure Subclass.

There are 32 opt-outs who identified themselves as members of the Adult Exposure Subclass based on the above protocols. Section 19.3.2 of the ASA provides that the Defendants may rescind the settlement if there are more than 100 but less than 200 opt-outs from the Adult Exposure Subclass and certain other conditions are present.

The rescission rights under Section 19.3.2 do not apply: only 32 individuals have asserted on the form that they are members of the Adult Exposure Subclass, far less than the requisite 100. In addition, for the sake of a complete accounting, none of the other subsections of Section 19.3.2 apply because there are fewer than 10 individuals asserting membership in the Adult Exposure Subclass who meet any of the additional criteria.

a. Blood Lead Level Status: The Special Master obtained from the Michigan Department of Health and Human Services a listing of all adults who obtained a blood lead level test between April 25, 2014 and July 31, 2016 and whose blood lead level measured 5 ug/dL or above. None of the individuals who submitted timely opt-out forms appeared on that list and thus there are no opt-outs who would “trigger” the terms of Section 19.3.2.1 of the ASA.

b. Water Lead Test in Residence of 15 ppb or Above: The forms were reviewed to determine whether any of these 32 opt-outs may have lived in a residence that had a water lead test showing lead of 15 ppb or above – as set forth at Section 19.3.2.2 of the ASA. This review was based on address information provided in the forms – which generally was described as the “current” address as opposed to the address during the relevant time period. The review identified 2 individuals who claimed an address that

matched to an address that had a State water test sample taken between April 25, 2014 and July 31, 2016 with lead results of 15 ppb or above.

c. Residence in Home with Lead or Galvanized Steel Service Lines: The review shows that 4 of the 32 opt-outs identified an address that matched to an address that has been identified as a residence that had a service line removal record indicating lead or galvanized steel service lines as set forth at Section 19.3.2.3 of the ASA.

B. Opt-Out Submissions Asserting Legionnaires' Disease.

Under Section 19.3.3, the Defendants may rescind the ASA if any of the members of the Adult Exposure Subclass requesting to be excluded contracted or died of Legionnaires' Disease between April 25, 2014 and December 31, 2018. The Special Master's office reviewed all the valid opt-out forms and found no opt-outs that indicated they contracted Legionnaires' Disease or, if a Personal Representative was filing, that the Claimant died of Legionnaires' disease. Accordingly, the rescission rights under Section 19.3.3 do not apply.

C. Opt-Out Submissions in the Property Damage Subclass.

There are 56 opt-out forms in the Property Damage Exposure Subclass based on the above protocols. Sections 19.3.4 and 19.3.5 of the ASA provide that the Defendants may rescind the settlement only if there are more than 200 opt-outs from

the Property Damage Subclass or, if there are more than 100 but less than 200, if certain other conditions are met.

None of the conditions for rescission based on opt-outs from the Property Damage Subclass have been met. First, there are only 56 opt-outs from the Property Damage Subclass, far fewer than the requisite 100. Second, there are fewer than 10 individuals who identified themselves as members of the Property Damage Subclass who met any of the additional criteria that would permit rescission.

a. Water Lead Tests at Real Property Owned by Opt-Outs: The Special Master's office reviewed the forms to determine whether any of the opt-outs claimed a property that had a water lead test showing lead of 15 ppb or more. This review was based on the address information provided on the opt-out form – which generally was described as the current address and not the address during the relevant period. There is no documentation with the opt-out form that would confirm that the individual actually owned the property identified. The review revealed that 5 of the 56 opt-outs had identified an address that matched to an address for which State water test samples taken between April 25, 2014 and July 31, 2016 showed lead results of 15 ppb or above.

b. Lead or Galvanized Steel Service Lines. The Special Master's office reviewed the forms to determine whether any of these 56 opt-outs claimed

ownership of a property that was served by lead or galvanized steel service lines during the relevant period. Again, the review was based on the address provided on the form which in most cases was described as a current residential address and there is no proof that the individual owned the identified real property at any time or lived in the residence during the relevant period. The review revealed that 9 of the 56 opt-outs had identified an address that matched to a service line record indicating lead or galvanized steel service lines.

D. Opt-Outs from Business Economic Loss Subclass.

Only 14 opt-outs identified themselves as members of the Business Economic Loss Subclass. Section 19.3.6 of the ASA, which requires 200 opt-outs from the Business Economic Loss Subclass, therefore does not apply.

E. Opt-Outs that did not Designate a Subclass: Water Lead Tests and Presence of Galvanized or Lead Service Lines.

There are 38 opt-outs that did not designate any subclass based on the above protocols. Although no subclass was marked, these forms were also reviewed to determine whether any of the opt-outs identified an address on that form that matched to a water lead test showing lead of 15 ppb or above or matched to a service line record indicating lead or galvanized steel service lines. This review was based solely on the address information provided on the opt-out form – which generally was described as the current address with no proof of residency or ownership during

the relevant period of time. The review revealed that 1 of the 38 opt-outs had identified an address that matched to an address for which State water test samples taken between April 25, 2014 and July 31, 2016 showed lead results of 15 ppb or above. The review further revealed that 4 of these 38 opt-outs had identified a current residential address that matched to a service line record indicating lead or galvanized steel service lines. Two of these four opt-outs did not complete any of the questions on the opt-out form; one of these four opt-outs answered “no” to the question asking whether the opt-out lived in or owned a residence with water tests showing lead levels at or above 15 ppb or that had lead or galvanized pipes. One of the four opt-outs did check a box indicating the presence of lead or galvanized pipes.

These 38 opt-outs were also reviewed to determine if any had a blood lead level test of 5ug/dl or higher. None of these 38 opt-outs had a record of a blood lead level test taken between April 25, 2014 and July 31, 2016 with results of 5 ug/dL or above.

F. Conclusion and Recommendation.

Based on the data in the opt-out forms and the comprehensive review of each form, the conditions for rescission under Article 19 of the ASA have not been met.

Based on the Declaration of Leslie Kroeger, there are 39 individuals who either submitted both registration and opt-out forms or submitted an opt-out form believing it was a registration. Three of these individuals confirmed that they

thought that they were registering themselves and a family member – which brings the total of individuals who had intended to register to 42. These individuals are listed at paragraphs 4 and 5 of the Declaration of Leslie Kroeger. Because these individuals have confirmed that they intended to register and not to opt-out, I recommend that all of these individuals be considered timely registrants who will be eligible to submit claim forms.⁶

Respectfully submitted,

Date: October 25, 2021

/s/ Deborah E. Greenspan
Deborah E. Greenspan
Special Master
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⁶ There were four opt-out forms submitted after the March 29, 2021, deadline. Of those, one is listed as having registered. The other three were not contacted because their forms were untimely.

CERTIFICATE OF SERVICE

I certify that on October 25, 2021, I electronically filed the foregoing document with the Clerk of the Court using the Court's ECF system, which will send notification of such filing to attorneys of record.

Dated: October 25, 2021

/s/ Deborah E. Greenspan
Deborah E. Greenspan
Special Master
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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In Re Flint Water Cases

No. 5:16-cv-10444-JEL-MKM

HON. JUDITH E. LEVY

MAG. MONA K. MAJZOUB

DECLARATION OF LESLIE MITCHELL KROEGER
ON OPT OUT COMMUNICATION

I, LESLIE MITCHELL KROEGER, declare and state as follows:

1. I am a partner at Cohen Milstein Sellers & Toll, PLLC.
2. On April 14, 2021 with agreement of Settlement Counsel and as instructed by the Honorable Judith E. Levy, I was provided with copies of Opt Out forms filed in the Flint Water Crisis Settlement Program. I proceeded to initiate contact with those individuals who filed the Opt Out Forms who were not otherwise represented by Counsel.
3. The following is a fair and accurate description of the result(s) of my work.
4. **Individuals who filed both Registration Forms and Opt Out Forms and want to participate in the Settlement Program and ask that their Opt Out Forms be withdrawn.**

I spoke with 29 individuals who filled out both Registration Forms and Opt Out forms as listed specifically below. Each person expressed their desire to participate in the Settlement Program and asked that their Opt Out Forms be withdrawn.

1. Eleanor Allard, April 19, 2021;
2. Bruce Parrott, April 20, 2021;
3. Doris Gould, April 15, 2021;
4. Mark Slagg, April 21, 2021;
5. Michael Stamm/Caretaker Jerry Stamm, April 22, 2021;
6. Willie Triplett, April 20, 2021;
7. Debra Newhouse, April 21, 2021;
8. Meza, Francisco, April 16, 2021;
9. Tonya Cotton, April 16, 2021;
10. Huong Lai, April 22, 2021;
11. Eric Martin, April 20, 2021;

Exhibit 1

In Re: Flint Water Cases

Declaration of Leslie M. Kroeger of Opt Out Communications

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12. Sharon Woodworth, April 22, 2021;
13. Pamela Brown, April 26, 2021;
14. Ellen Gist, April 20, 2021;
15. Cora Jackson, April 20, 2021;
16. Thomas Retka, April 20, 2021;
17. Regina Robinson, April 20, 2021;
18. Leslie Skinner, Jr., April 22, 2021;
19. James Gillard, Jr., April 20, 2021;
20. Kelly Simmons, May 3, 2021;
21. Ira Hunter, April 21, 2021;
22. Alma Long, April 21, 2021;
23. Sarai McDonald, April 20, 2021;
24. Bettie Wilborn, April 21, 2021;
25. Linda Gray, April 29, 2021;
26. Talalia Lindsay, April 21, 2021;
27. Gayla Ralph, April 20, 2021;
28. Linette Cason, April 20, 2021;
29. Teressa Hamlet, April 19, 2021.

5. Individuals who filed Opt Out Forms but intended to participate in the Settlement Program and ask that they be allowed to fill out the correct Forms.

I spoke with 13 individuals who filled out the Opt Out forms as listed specifically below. Each person expressed their desire to participate in the Settlement Program and general confusion about filling out the incorrect form. I explained to each person that the Registration Deadline had passed on March 29, 2021, but that I would convey the information obtained from them to the Parties and the Court for further determination as to whether or not they would be allowed to participate in the Settlement Program.

1. Denise Welch, April 22, 2021;
2. Robert Hoop¹, April 19, 2021;
3. Lorrie Hoop, April 19, 2021
4. Montez Dent², April 16, 2021;
5. Monroe Dent, April 16, 2021
6. Beverly Johnson, April 21, 2021;
7. Cathryn Sanders, April 16, 2021;
8. Crosetti Cummings, April 19, 2021;
9. Derrick Gillard, April 20, 2021;
10. Sue McKinnies (Estate of), PR Keith McKinnies, April 19, 2021;

¹ Robert Hoop believed he was registering for both himself and his wife Lorrie Hoop.

² Montez Dent believed she was registering for both herself and her husband Monroe Dent.

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11. Anne Ptaszenski³, April 26, 2021;
12. Robert Ptaszenski, April 26, 2021;
13. Mary Lansdown, April 22, 2021.

6. Individuals who were unreachable.

I attempted to reach 6 individuals through multiple phone calls as indicated specifically below.

1. Richard Yedinak. Messages left on April 15, April 19, April 21, and April 26, 2021;
2. Donald Fike. Messages left April 20, April 21, April 22, and April 26, 2021;
3. Mazie Hill. Called April 20, April 21, April 22, April 26, and April 29, 2021. Mailbox full and no ability to leave a message;
4. Glory Elzy. Called April 16, April 19, April 20, April 21, and April 29, 2021. No ability to leave a message;
5. Merlin Mitchell. Messages left on April 19, April 20, April 21, and April 26, 2021;
6. Genesee Conservation District. Called April 20, April 21, and April 26, 2021. No ability to leave a message. April 22, 2021, I found a telephone number on the website and left a message for Angela Warren who appears to have signed the Opt Out Form.

7. Individuals who provided no contact information on their filed Opt Out Forms.

I was unable to reach 2 individuals as indicated specifically below as there was no contact information provided on the Opt Out Forms they submitted.

1. Benjamin Wylie;
2. Rachel Hemphill.

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed on this 20th day of October, 2021
Palm Beach, Florida

s/Leslie Mitchell Kroeger
Leslie Mitchell Kroeger

³ Anne Ptaszenski believed she was registering for both herself and her husband Robert Ptaszenski.

EXHIBIT 3

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re FLINT WATER CASES

Civil Action No. 5:16-cv-10444-JEL-
(consolidated)

Hon. Judith E. Levy

**UPDATED REPORT OF SPECIAL MASTER REGARDING REVISED
DATA ON TIMELY AND VALID OPT-OUTS FROM THE CLASS
PORTION OF THE PARTIAL SETTLEMENT**

The following report provides an update to the previous *Report of Special Master on Evaluation of Opt-Out Forms Submitted in Connection with the Partial Settlement*, ECF No. 1998 (the “Report & Recommendation”). This update is provided pursuant to a change in circumstances of one individual who filed both a registration form and an opt-out form and did not previously respond to inquiries to confirm his position.

On January 21, 2021, the Court issued its *Opinion and Order Granting Plaintiffs’ Motion to Establish Settlement Claims Procedures and Allocation and for Preliminary Approval of Class Settlement Components [1318] and Granting Plaintiffs’ Motion for an Order Adopting the Proposed Motion for Approval of*

Wrongful Death Settlement [1334], ECF No. 1399, PageID.54398-54469.¹ In that Order, the Court established March 29, 2021 as the deadline for those persons or entities who comprise the proposed settlement class to register for, object to, or opt out of the settlement. Registration forms and opt-out forms were to be submitted to the Claims Administrator to be logged and compiled.

On October 25, 2021, I filed the *Report of Special Master on Evaluation of Opt-Out Forms Submitted in Connection with the Partial Settlement*, ECF No. 1998, PageID.68630-68646 (the “Report & Recommendation”). The Report & Recommendation provided a categorization of the opt-out submissions in accordance with the provisions of Article 19 and a recommendation with respect to the treatment of those who erroneously submitted opt-out forms. As described in the Report & Recommendation:

A total of 195 opt-out forms were submitted timely (i.e., received or postmarked on or before March 29, 2021). Of these timely opt-out forms, 30 were submitted by Individual Plaintiffs who are not counted as opt-outs under Article 19 of the ASA because they are not class members, and 14 of the forms do not meet the requirements of a valid opt-out under the ASA because the individual did not check the box confirming the desire to opt-out and/or did not sign the opt-out form. Of the remaining 151 individuals who submitted opt-out forms, 39 advised Class Counsel that they intended to participate in the settlement and completed the opt-out form by mistake. Of those 39 individuals, three advised that they were attempting to register for

¹ All capitalized terms herein have the same meaning set forth in the Amended Settlement Agreement that the Court.

themselves and their spouse but mistakenly used the opt-out form and not the registration form. Some of these individuals also submitted a registration form and some completed the opt-out form believing it was in fact a registration form. After accounting for the circumstances above, there are 112 individuals or entities that timely completed the opt-out form as required and have indicated that they intended to opt-out of the settlement class.

Report & Recommendation, PageID.68632-68633.

On November 10, 2021, the Court issued its *Opinion and Order Granting Final Approval of a Partial Settlement, Granting Certification of a Settlement Class, Granting Appointment of Settlement Class Counsel [1794], Denying Objections, and Adopting the Report and Recommendation [2006]*, ECF No. 2008, PageID.69537-69714 (“Final Approval Order”).

On November 12, 2021, the Court issued its *Order Adopting Report and Recommendation [1998]*, ECF No. 2010, PageID.69722-69724. The Order stated, *inter alia*, that, after accounting for those that do not meet the requirements of a valid opt-out for the reasons stated in the Report & Recommendation, “the Special Master determined that there are 112 individuals or entities that timely completed the opt-out form and have indicated that they intended to opt-out of the settlement class.” *Id.*, PageID.69723.

The Special Master has now been notified that one of the 112 individuals identified as opt-outs has advised that he did not intend to opt out and in fact

submitted the opt-out form in error. Exhibit 1 to this Updated Report is the Declaration of Leslie Kroeger (“Kroeger Declaration”), dated February 22, 2022. The Kroeger Declaration states that one individual, Dale Clinton, was registered for the partial settlement with the assistance of counsel on or about March 5, 2021. Kroeger Decl. ¶3. He also separately and on his own accord filed an opt-out form dated March 9, 2021. *Id.* Multiple attempts were made to contact Mr. Clinton to clarify his intent, but those efforts were unsuccessful. *Id.* Because he failed to clarify his intent, he was deemed to be an opt-out for purposes of the Report & Recommendation. Mr. Clinton has since confirmed his wish to participate in the Settlement Program and he has requested that his opt-out form be withdrawn. Kroeger Decl. ¶4.

Although Mr. Clinton’s clarification was delayed, he is in the same position as other individuals who submitted both a registration and an opt-out form in error. Accordingly, I recommend that Mr. Clinton be permitted to withdraw his opt-out and participate in the Settlement Program. If the Court accepts this recommendation, then the number of opt-outs will be reduced by 1 to 111. Exhibit 2 (attached hereto) is the list of the 111 individuals or entities who constitute the opt-outs if this recommendation is approved.

Respectfully submitted,

Dated February 24, 2022

/s/ *Deborah E. Greenspan*

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CERTIFICATE OF SERVICE

I certify that on February 24, 2022, I electronically filed the foregoing document with the Clerk of the Court using the Court's ECF system, which will send notification of such filing to attorneys of record.

Dated: February 24, 2022

/s/ Deborah E. Greenspan
Deborah E. Greenspan
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Exhibit 1

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In Re Flint Water Cases

No. 5:16-cv-10444-JEL-MKM

HON. JUDITH E. LEVY

MAG. MONA K. MAJZOUB

DECLARATION OF LESLIE MITCHELL KROEGER
ON OPT OUT COMMUNICATION

I, LESLIE MITCHELL KROEGER, declare and state as follows:

1. I am a partner at Cohen Milstein Sellers & Toll, PLLC.
2. On April 14, 2021 with agreement of Settlement Counsel and as instructed by the Honorable Judith E. Levy, I was provided with copies of Opt Out forms filed in the Flint Water Crisis Settlement Program. I proceeded to initiate contact with those individuals who filed the Opt Out Forms who were not otherwise represented by Counsel.
3. Dale Clinton was Registered with the assistance of counsel on or about March 5, 2021. He also separately and on his own accord filed an Opt Out form dated March 9, 2021. Multiple attempts were made to contact Mr. Clinton to clarify his intent, but our efforts were unsuccessful. He was inadvertently not included on my prior Declaration dated October 20, 2021.
4. In recent weeks, Mr. Clinton has been in contact with our office indicating his desire to participate in the Settlement Program and asked that his Opt Out Form be withdrawn.

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed on this 22nd day of February, 2022
Palm Beach, Florida

s/Leslie Mitchell Kroeger
Leslie Mitchell Kroeger

Cohen Milstein Sellers & Toll, PLLC
11780 US Highway One, Ste 500, Palm Beach Gardens, FL 33408
Telephone: 561.515.1400 Facsimile: 561.515.1401

Exhibit 2

Flint Water Cases**Opt Outs (111)**

Last Name	First Name	Entity Name
Cohen	Barry	21st Century Communities, Inc.
Cohen	Barry	Clio Woods Apartments, MI-LLC
Perozich	James	Coin Laundry Express
Cole	Robert	Cole Properties IV LLC
Otto	David	Creekside Property Mgt
-	-	Dexter Street Gospel Chapel
Cohen	Barry	Discount Warehouses, LP
-	-	Dukes Car Stereo INC
-	-	Flint Institute of Music
-	-	Genesee Conservation District
-	-	Pinnix Investor Network LLC
Albro	Catherine	
Amrich	Nancy	
Anthony	Timothy	
Armstrong	Donna	
Armstrong	Randy	
Ash	Noel	
Beaudry	Scott	
Biddulph	Jack	
Biddulph	Jennifer	
Biddulph	Victoria	
Bosio	Kathrine	
Bozynski	Christine	
Braden	Robert	
Brasseur	Marie	
Case	Michael	

Flint Water Cases**Opt Outs (111)**

Last Name	First Name	Entity Name
Castle	Geraldine	
Chilton	Elaine	
Chimovitz	Suzanne	
Colmer	Geneva	
Craven	William	
Cutler	MaryAnn	
Donohoe	Evan	
Downie	Robert	
Ekhardt	Steven	
Elzy	Glory	
Figgins	June	
Fike	Donald	
Franklin	Sybille	
Fraser (Hannert)	Carol Ann	
Freeman	Carol	
Gardner	Christine	
Gary	Blenda	
Goodall	Cynthia	
Goodall	Michael	
Gough	Wanda	
Guerrero	Trinidad	
Hemphill	Rachel	
Hill	Mazie	
Holland	Richard	
James	Ellen	
Johnson	BP	
Kapua	Linda	
Kenney	Janet	
Kinney	Lincoln	
Koegel	Albert	

Flint Water Cases**Opt Outs (111)**

Last Name	First Name	Entity Name
Kozloff Jr	George	
Krenkel	Susan	
Kroeger	Charles	
Kuehnle	Linda	
Ladd	Sheryl	
Lang	Walter	
Larmor	Jack	
Larzelere	Joellen	
Leonard	Candace	
Lovenstein	Betty	
Macciomei	Gino	
Maier	Vicki	
Matheny	Nancy	
McFarlan	Debra	
McGonigle	Michael	
McIlmurray	William	
Mellow	Marguerite	
Mervenne	Chelsea	
Mihelcic	David	
Mitchell	Merlin	
Oberlin	Gary	
Parker	Deanna	
Parsell	Shantel	
Patrick	Doris	
Pitts	John	
Prescott	Robert	
Roat	Dale	
Robertson	Ruth	
Rude	Anete	
Savage	Pamela	

Flint Water Cases**Opt Outs (111)**

Last Name	First Name	Entity Name
Seals	Patricia	
Shier	Gary	
Shimoda	Janice	
Shurte Sr.	James	
Siebert	Judith	
Simpson	Lorene	
Smith	Daniel	
Smith	Donald	
Sudo	Winona	
Summers	Erle	
Tall	Johannes	
Thornton	Sean	
Truzinski	Annette	
Voisine	Dennis	
Wallace	Felicia	
West	Holly	
Wheeler	Dorothy	
Whitinger	Jean	
Williams	Julia	
Willis	George	
Wilson	Arnold	
Wisniewski (deceased)	Bernard [Elizabeth Wisniewski, for Bernard]	
Woodson	Arthur	
Wylie	Benjamin	
Yedinak	Richard	